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Rebecca McDowell Cook
Secretary of State

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Rebecca McDowell Cook**

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IN THIS ISSUE:

PROPOSED RULES

Department of Economic Development	
Missouri State Board of Accountancy	2625
Department of Elementary and Secondary Education	
Division of School Services	2627
Department of Natural Resources	
Air Conservation Commission	2629
Department of Revenue	
Director of Revenue	2632

ORDERS OF RULEMAKING

Department of Economic Development	
State Board of Registration for the Healing Arts	2636
Department of Natural Resources	
Air Conservation Commission	2637
Department of Public Safety	
Missouri Gaming Commission	2642
Department of Revenue	
State Lottery	2643
Retirement Systems	
The Public School Retirement System of Missouri	2646

IN ADDITIONS

Department of Economic Development	
Division of Credit Unions	2647

BID OPENINGS

Office of Administration	
Division of Purchasing	2648

RULE CHANGES SINCE UPDATE	2649
EMERGENCY RULES IN EFFECT	2658
REGISTER INDEX	2660

Register Filing Deadlines	Register Publication	Code Publication	Code Effective
July 30, 1999 Aug. 13, 1999	Sept. 1, 1999 Sept. 15, 1999	Sept. 30, 1999 Sept. 30, 1999	Oct. 30, 1999 Oct. 30, 1999
Sept. 1, 1999 Sept. 15, 1999	Oct. 1, 1999 Oct. 15, 1999	- Oct. 31, 1999 Oct. 31, 1999	Nov. 30, 1999 Nov. 30, 1999
Oct. 1, 1999 Oct. 15, 1999	Nov. 1, 1999 Nov. 15, 1999	Nov. 30, 1999 Nov. 30, 1999	Dec. 30, 1999 Dec. 30, 1999
Nov. 1, 1999 Nov. 15, 1999	Dec. 1, 1999 Dec. 15, 1999	Dec. 31, 1999 Dec. 31, 1999	Jan. 30, 2000 Jan. 30, 2000
Dec. 1, 1999 Dec. 15, 1999	Jan. 3, 2000 Jan. 14, 2000	Jan. 30, 2000 Jan. 30, 2000	Feb. 29, 2000 Feb. 29, 2000
Jan. 3, 2000 Jan. 14, 2000	Feb. 1, 2000 Feb. 15, 2000	Feb. 29, 2000 Feb. 29, 2000	March 30, 2000 March 30, 2000
Feb. 1, 2000 Feb. 15, 2000	March 1, 2000 March 15, 2000	March 31, 2000 March 31, 2000	April 30, 2000 April 30, 2000
March 1, 2000 March 15, 2000	April 3, 2000 April 17, 2000	April 30, 2000 April 30, 2000	May 30, 2000 May 30, 2000
March 31, 2000 April 14, 2000	May 1, 2000 May 15, 2000	May 31, 2000 May 31, 2000	June 30, 2000 June 30, 2000

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

Missouri Depository Libraries

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 24, *Missouri Register*, page 27. The approved short form of citation is 24 MoReg 27.

The rules are cited in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (I). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rule-making process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least 30 days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than 30 days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the 90-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than 30 days from the date of publication of the new notice.

- (A) Initial Application for Certificate by Examination Fee—
- | | |
|----------------------|-------------------|
| 1. All parts of exam | \$/200.00/ 240.00 |
| 2. Per part | \$ /50.00/ 60.00 |

- (B) Application for Reexamination Fee—
- | | |
|----------------------|-------------------|
| 1. All parts of exam | \$/200.00/ 240.00 |
| 2. Per part | \$ /50.00/ 60.00 |

- (C) Application for Certificate Without Examination Fee— \$ /200.00/ 240.00

(3) All fees for subsections (1)(C) through (N) of this rule are nonrefundable and cannot be applied to another application. Fees for subsections (1)(A) and (B) of this rule are nonrefundable, and cannot be applied to another application except under extraordinary circumstances as determined by the board.

AUTHORITY: section 326.200, RSMo [Supp. 1997] Supp. 1998. Emergency rule filed Aug. 6, 1981, effective Aug. 16, 1981, expired Dec. 10, 1981. Original rule filed Aug. 6, 1981, effective Dec. 11, 1981. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 29, 1999.

PUBLIC ENTITY COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE ENTITY COST: The private entity cost for this proposed amendment is estimated at \$203,640 per year for the life of this rule. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Accountancy, Ken L. Bishop, Executive Director, P.O. Box 613, Jefferson City, MO 65102-0613. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 10—Missouri State Board of Accountancy Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 10-2.160 Fees. The board is amending sections (1) and (3) of this rule.

PURPOSE: The purpose of this amendment is to provide an exception to nonrefundable fees and fees applied to another application under extraordinary circumstances and to increase the amount of the certified public accountant's exam.

(1) The following fees are established by the Missouri State Board of Accountancy:

**FISCAL NOTE
PRIVATE ENTITY COST****I. RULE NUMBER****Title:** 4 CSR 10-2.160 Fees**Division:** Division of Professional Registration/Missouri State Board of Accountancy**Chapter:** Chapter 2 – General Rules**Type of Rulemaking:** Proposed Amendment**Rule Number and Name:** 4 CSR 10-2.160 Fees**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
3771	First Time Exam Applicants	\$150,840.00
4464	Retake Exam Applicants	\$44,640.00
204	Applicants for Certificate Without Examination Fee	\$8,160.00
Entities Affected: 8,439		Fiscal Impact: \$203,640.00

III. WORKSHEET

First Time Examination Application Increase @ \$40.00

Retake Examination Application Fee Increase @ \$10.00

Applicants for Certificate Without Examination Fee Increase @ \$40.00

IV. ASSUMPTIONS

The number of entities by class are based on actual figures from FY97 and FY98.

It is anticipated that the total aggregated cost per year will recur each year for the life of the rule.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 30—Division of School Services
Chapter 345—Missouri School Improvement Program**

PROPOSED RULE

5 CSR 30-345.020 Policies on Waiver of Regulations

PURPOSE: This rule establishes the criteria and procedures for annually identifying school district and/or school building eligibility for waivers in compliance with sections 161.210, 163.031.5(3), 160.545 and 160.518, RSMo. The student performance data will be reviewed, and the commissioner will notify districts if they are eligible for a waiver. Districts may respond to this notification by either accepting or rejecting such waiver. This rule contains four types of department-wide waivers of regulations which may be granted to school districts. Regulations identified in the Missouri School Improvement Program (MSIP) Waiver Plan will be waived in each of the four categories of waivers; however, the criteria for qualifying varies with each waiver. In all cases, the performance indicators will be evaluated on data in the same manner as in regular MSIP reviews (i.e., data from 1999–2000 will be used as the most current for districts being reviewed in 2000–2001).

(1) Missouri School Improvement Program (MSIP) On-Site Review.

(A) Districts will qualify for a waiver of the next scheduled MSIP review if they meet the following:

1. The district, based upon department generated Annual Performance Reports (APR), meets the performance indicators at the accredited level (including at least two (2) of the indicators in Standard 16.1 and at least three (3) of the indicators in Standard 16.3 for K–12 districts or four (4) of five (5) performance indicators, two (2) from 16.1 and two (2) from 16.2 and 17.1 combined and having no dropouts for K–8 districts) for three (3) of the last four (4) years, including the second preceding year, based upon the annual Performance Scoring Guide. (In order for districts to have adequate time to prepare for the MSIP review, the decision on eligibility for waivers must be made by December of the second preceding year; therefore, the determination would be based upon the calls made during their last review and the succeeding three (3) APRs);

2. Districts having five percent (5%) or more in any identified ethnic minority must demonstrate equal or greater improvement in the minority achievement compared to the non-minority population on the Missouri Assessment Program (MAP). The following process will be used to judge this condition:

A. First, the three (3) MSIP grade spans will be examined to determine whether any grade span has five percent (5%) or more of any identified minority in each grade tested in that span for both the preceding and second preceding year;

B. Second, grade spans meeting the above condition will be examined to determine how many times the identified ethnic minority group equals or exceeds the improvement of the non-minority population on each test when comparing from the second preceding to the preceding year on both the upper two (2) levels (Proficient and Advanced combined) and the bottom two (2) levels (Step I and Progressing combined) for each test in that grade span; and

C. Third, at least sixty-two percent (62%) positive comparisons between the two (2) groups are required to be acceptable;

3. The district agrees to administer the MSIP Advance Questionnaire; and

4. The district completes an annual MSIP Waiver Plan which confirms the district's adherence to the specific laws and rules referred to in the checklist.

(B) If a district meets the criteria for a waiver of its regularly scheduled five (5)-year MSIP review, Department of Elementary and Secondary Education (DESE) will conduct a mini-team review which will focus on the areas identified in the MSIP Waiver Plan. The team will include the state supervisor and representatives from appropriate DESE sections.

(C) If the district meets the performance indicators at a level that would qualify for "Distinction" the year of their scheduled review, DESE will conduct a desk audit of the Resource Report. If the district meets all of the resource standards, a team will conduct an on-site visit which will focus on the district's documentation of its compliance with the items on the Waiver Plan.

(D) The MSIP waiver is an annual waiver and may be renewed for five (5) consecutive years if—

1. The district continues to meet the "Accredited" level on the performance indicators;
2. Complies with all the items on the MSIP Waiver Plan; and
3. Verifies that it has reviewed its Comprehensive School Improvement Plan (CSIP) and submits any revisions to DESE.

(E) If a district fails to meet the above criteria, the district will be notified by December 1 that a review is scheduled for the following year (i.e., If, based upon 1999–2000 data, a district is no longer qualified for an MSIP waiver, DESE will notify the district by December 1, 2000, that it is now scheduled for an MSIP review during the 2001–2002 school year). No other waiver can be used during that time period.

(2) Hold Harmless Districts.

(A) A district that meets the financial qualifications identified in section 163.031.5(3), RSMo will be granted waivers as long as the district qualifies for a waiver of the MSIP On-Site Review.

(3) A+ High School.

(A) The designation as an A+ high school is granted for one (1) year in compliance with the A+ rule and section 160.545, RSMo. A high school will qualify for a waiver of the MSIP on-site review if—

1. It is currently designated as A+;
2. Agrees to administer the MSIP Advance Questionnaire; and
3. Completes an annual A+ Waiver Plan which confirms the district's adherence to the specific laws and rules referred to in that plan.

(B) The A+ Waiver Plan is valid until June 30 of the year in which the high school is no longer designated as A+.

(4) Exemplary School.

(A) A school building that meets the following student performance criteria will be designated as Exemplary in compliance with section 160.518, RSMo, and will be granted waivers when the school meets the following:

1. The school has at least fifty percent (50%) of its students in the Proficient and Advance levels, combined, on the MAP and Reading Performance Indicators and has no more than twenty percent (20%) of its students in the Step 1 and Progressing levels of the MAP, combined;

2. Schools having five percent (5%) or more in any identified ethnic minority must demonstrate equal or greater improvement in each minority achievement compared to the non-minority population on the MAP. The following process will be used to judge this condition:

A. First, the three (3) MSIP grade spans will be examined to determine whether any grade span has five percent (5%) or more of any identified minority in each grade tested in that span for both the preceding and second preceding year;

B. Second, grade spans meeting the above condition will be examined to determine how many times the identified ethnic

minority group equals or exceeds the improvement of the non-minority population on each test when comparing from the second preceding to the preceding year on both the upper two (2) levels (Proficient and Advanced combined) and the bottom two (2) levels (Step 1 and Progressing combined) for each test in that grade span; and

C. Third, at least sixty-two percent (62%) positive comparisons between the two (2) groups are required to be acceptable;

3. The school meets all other MSIP Performance Indicators;

4. The school completes an annual MSIP Waiver Plan which confirms the district's adherence to the specific laws and rules referred to in the plan for all buildings within the district; and

5. The school agrees to administer the MSIP Advance Questionnaire.

(B) The building's exemplary designation will be valid until June 30 of the year in which the building is determined to not meet items in paragraphs (4)(A)1.-4.

(5) Application. A district which meets the performance criteria for any of the four (4) waivers will be so notified by the commissioner. The district must either accept or decline the waiver by December 1 of the second preceding year prior to the year the district is scheduled for an MSIP review except that a district qualifying for an A+ waiver must accept or decline the waiver by October 1 of the year of the scheduled MSIP review (i.e., a waiver application for a scheduled 2001-2002 MSIP review must be filed by December 1, 1999).

(6) Missouri School Improvement Program Waiver Plan.

(A) School districts which meet certain student performance expectations may qualify for certain waivers related to the MSIP. The plan which is outlined below identifies the areas of MSIP which are eligible to be waived for qualifying districts.

1. All MSIP *Resource Standards and Indicators* will be waived except the following:

A. The state high school graduation requirements (MSIP 1.3);

B. Regular instruction in *United States and Missouri Constitutions*, as well as American History and Institutions, must be provided, and all students must pass at least a half unit of credit course in the institutions, branches, and functions of federal, state and local governments and in the electoral process, as required by section 170.011, RSMo (MSIP 1.3); and

C. All administrators and teachers must be certificated to teach in Missouri schools. "Appropriately certificated for their assignments" is waived under this provision, unless funding sources require specific certification. (MSIP 5.1).

2. All MSIP *Process Standards and Indicators* will be waived except the following:

A. Districts must have cross-referenced all curricular areas to the Show-Me Standards (MSIP 6.1A);

B. The district reports dropouts from school to the Missouri Literacy Hot Line (MSIP 8.1);

C. The district meets state and federal requirements for special education for students with disabilities, economically disadvantaged students, migratory children, students whose native or home language is other than English and homeless youth (MSIP 8.1B, C, D, E, F);

D. The district complies with all the regulations of the state and federal categorical programs in which the district participates (MSIP 8.7);

E. The district distributes a student code of conduct and provides a protected, orderly environment (MSIP 9.1C);

F. Professional development programs and services are provided as required by sections 168.400 and 160.530, RSMo (MSIP 12.1A);

G. Board of Education members must be trained as prescribed by section 162.203, RSMo (MSIP 13.2B);

H. The district complies with the salary compliance requirements of section 163.031, RSMo and with the minimum salary requirements as defined in section 163.172, RSMo. (MSIP 13.2B, 13.3C). Does not apply to "hold harmless" districts;

I. The district implements effective and efficient fiscal management systems that ensure accountability of district funds, and is not identified as a "financially stressed district" (MSIP 13.4A, B);

J. The district annually reviews its Comprehensive School Improvement Plan and updates it if necessary (MSIP 13.1C);

K. The district provides a safe physical environment for students (MSIP 14.2);

L. The district implements effective and efficient fiscal management systems that ensure accountability of district funds (MSIP 13.4A, B);

M. Cumulative health records, including immunizations as required by state law, are maintained and regularly updated for all students (MSIP 15.1); and

N. The district complies with all laws related to the transportation of students (MSIP 15.3).

3. No MSIP Performance Standards will be waived.

AUTHORITY: sections 160.518 and 160.545, RSMo 1994, and 161.210, and 163.031.5(3), RSMo Supp. 1998. Original rule filed Sept. 30, 1999.

PUBLIC ENTITY COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE ENTITY COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Carl Sitze, Interim Coordinator, Supervision Section, P.O. Box 480, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 30—Division of School Services Chapter 345—Missouri School Improvement Program

PROPOSED RULE

5 CSR 30-345.030 Metropolitan School District Retired Teacher Program

PURPOSE: This rule outlines the criteria for application by a metropolitan school district to the Department of Elementary and Secondary Education for waivers to allow qualified retired teachers to teach in the metropolitan school district pursuant to section 105.269, RSMo Supp. 1999.

(1) As used in this rule, unless specifically provided otherwise, the following terms shall be defined as follows:

(A) Metropolitan school district—any school district the boundaries of which are coterminous with the limits of any city which is not within a county; and

(B) Retired teacher—any retired teacher who taught in any metropolitan school district and who receives retirement benefits from the St. Louis Public Schools Retirement System.

(2) Any metropolitan school district may apply to the Department of Elementary and Secondary Education (DESE) for waivers to

allow retired teachers to teach in the metropolitan school district if the district has—

(A) Individuals working in a metropolitan school district who are employed by the state of Missouri and who participate in a volunteer tutoring program as authorized pursuant to section 105.268, RSMo Supp. 1999; and

(B) At least a five percent (5%) shortage of certified teachers to be determined by the metropolitan school district no later than August 1 of the school year in which a retired teacher as defined in this rule may be employed to teach.

(3) For the purpose of this rule, a position must be vacant as of August 1 prior to the beginning of the school year in order to be considered in the calculation of the teacher shortage.

(4) A retired teacher as defined in this rule may teach up to two (2) years in the metropolitan school district without losing his or her retirement benefits.

(5) The metropolitan school district shall place emphasis on hiring retired teachers to teach in areas that include, but are not limited to, reading improvement, which may include elementary remedial reading and the “Read to be Ready Program,” math, science, and special education.

AUTHORITY: section 105.269, RSMo Supp. 1999. Original rule filed Sept. 30, 1999.

PUBLIC ENTITY COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE ENTITY COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Department of Elementary and Secondary Education, Attention: Dr. Marilou Joyner, Assistant Commissioner, Division of School Services, P.O. Box 480, Jefferson City, MO 65102-0480. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions,
Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.020 Definitions and Common Reference Tables.
The commission proposes to amend subsections (2)(B), (2)(C), (2)(H) and (2)(N). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Implementation Plan.

PURPOSE: This proposed amendment adds the new definition for criteria pollutant and hourly de minimis level as well as new language to the rules for determining creditability of emissions increases and decreases. The new regulatory language reflects the effort of the construction permit workgroup to streamline the permitting process. Also, this amendment will delete the definition for the St. Louis carbon monoxide nonattainment area since the area was redesignated to attainment this year.

(2) Definitions.

(B) All terms beginning with “B.”

1. Base year—The year chosen in the state implementation plan to directly correlate emissions of the nonattainment pollutant in the nonattainment area with ambient air quality data pertaining to the pollutant. From the base year, projections are made to determine when the area will attain and maintain the ambient air quality standards.

2. Baseline area—The continuous area in which the source constructs as well as those portions of the intrastate area which are not part of a nonattainment area and which would receive an air quality impact equal to or greater than one microgram per cubic meter ($1 \mu\text{g}/\text{m}^3$) annual average (established by modeling) for each pollutant for which an installation receives a permit under 10 CSR 10-6.060(8) and for which increments have been established in 10 CSR 10-6.060(11)/(B)/(A), Table 2/1. Each of these areas are references to the standard United States Geological Survey (USGS) County-Township-Range-Section system. The smallest unit of area for which a baseline date will be set is one (1) section (one (1) square mile).

PUBLISHER’S NOTE: Paragraphs (2)(B)3.–6. remain as published in the Code of State Regulations.

(C) All terms beginning with “C.”

PUBLISHER’S NOTE: Paragraphs (2)(C)1.–25. remain as published in the Code of State Regulations.

26. Criteria pollutant—Air pollutants for which air quality standards have been established in 10 CSR 10-6.010.

[26.]27. Crude oil—A naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen or oxygen derivatives, or a combination of these, of hydrocarbons which is a liquid at standard conditions.

[27.]28. Custody transfer—The transfer of produced crude oil or condensate, or both, after processing or treating, or both, in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

[28.]29. Cutback asphalt—Any asphaltic cement that has been liquefied by blending with VOC liquid diluents.

(H) All terms beginning with “H.”

1. Hazardous air pollutant—Any of the air pollutants listed in subsection (3)(C) of this rule.

2. HHV—A higher heating value as determined by 10 CSR 10-6.040(2) (ASTM Standard: D 2015-66, Part 19, 1972, *Standard Method for Determining Gross Heating Values of Solid Fuels*).

3. High efficiency particulate air filter— A HEPA filter found in respirators and vacuum systems capable of filtering three-tenths (0.3) micron particles with at least ninety-nine and ninety-seven hundredths percent (99.97%) efficiency.

4. High terrain—Any area having an elevation nine hundred feet (900’) or more above the base of the stack of the installation.

5. Homogeneous area—An area of surfacing material, thermal system insulation material or miscellaneous material that is uniform in color and texture.

6. Hot car—A vehicle which transfers hot coke from the oven to the area of quenching.

7. Hot well—The reservoir of a condensing unit receiving the warm condensate from the condenser.

8. Hourly de minimis level—The hourly equivalent of the annual de minimis level established in Table 1, subsection (3)(A) of this rule; calculated as the annual de minimis level divided by 8,760 and typically expressed in terms of pounds per hour.

(N) All terms beginning with “N.”

1. Nearby—Nearby as used in the definition GEP stack height in subparagraph (2)(G)2.B. is defined for a specific structure or terrain feature—

A. For purposes of applying the formula provided in subparagraph (2)(G)3.B., nearby means that distance up to five (5) times the lesser of the height or the width dimension of a structure, but not greater than one-half (1/2) mile; and

B. For conducting fluid modeling or field study demonstrations under subparagraph (2)(G)3.C., nearby means not greater than one-half (1/2) mile, except that the portion of a terrain feature may be considered to be nearby which falls within a distance of up to ten (10) times the maximum height of the feature, not to exceed two (2) miles if feature achieves a height one-half (1/2) mile from the stack that is at least forty percent (40%) of the GEP stack height determined by the formula provided in subparagraph (2)(G)3.B. or twenty-six meters (26m), whichever is greater, as measured from the ground level elevation at the base of the stack. The height of the structure or terrain feature is measured from the ground level elevation at the base of the stack.

2. Net emissions increase—A condition when the increases in pollutant emissions at an installation exceed the decreases of the same pollutant.

A. In determining whether a net emission increase has occurred, all creditable increases and decreases of actual emissions shall be included occurring at the installation since the most recent permit was issued to the installation pursuant to 10 CSR 10-6.060(1)(C). If no permit has been issued to the installation, then all **creditable** increases and decreases shall be included occurring since—

(I) The base year inventory used to project attainment in the state implementation plan if the installation is in a nonattainment area and has the potential to annually emit one hundred (100) tons or more of the nonattainment pollutant; or

(II) The date on which the most recent permit was issued pursuant to 40 CFR 52.21, or August 7, 1977, for sulfur dioxide and particulate matter, or February 8, 1988, for nitrogen dioxide, whichever is more recent, if the installation is not subject to part (2)(N)2.A.(I).

B. Rules for determining creditability of increases and decreases.

(I) An increase or decrease in actual emissions is creditable only if the director has not relied on it in issuing a permit for the installation pursuant to 10 CSR 10-6.060(1)(C), which permit is in effect when the increase in actual emissions from the particular change occurs.

(II) Increases or decreases in actual emissions are creditable only if they are contemporaneous with the increase from the particular change and only if it occurs between—

(a) The date five (5) years before construction on the particular change commences; and

(b) The date that the increase from the particular change occurs.

[(III)](III) An increase or decrease in actual emissions of sulfur dioxide particulate matter or nitrogen oxides which occurs before the applicable baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available.

[(IV)](IV) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

[(V)](V) A decrease in actual emissions is creditable only to the extent that the old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions; the decrease is enforceable at and after the time that actual construction to bring about the proposed increase begins; and the decrease has approximately the same qualitative significance for public health and welfare as that attributed to the proposed increase.

[(VI)](VI) If credit for a decrease in actual emissions has been banked in accordance with 10 CSR 10-6.060(12)(D), credit must be withdrawn from the bank in order for the decrease to be creditable.

[(VII)](VII) A decrease in actual emissions is creditable only if the director has not relied on it in demonstrating attainment or reasonable further progress.

C. An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires a shakedown period becomes operational only after a reasonable shakedown period not to exceed one hundred eighty (180) days.

3. New teepee burner—One not in existence as of September 18, 1970.

4. NIOSH—National Institute of Occupational Safety and Health.

5. Nonattainment area—The areas of Missouri identified as follows:

A. A moderate nonattainment area for ozone consists of Franklin, Jefferson, St. Charles and St. Louis Counties and the City of St. Louis; **and**

B. Nonattainment areas for lead include the city of Herculaneum in Jefferson County, and the Dent, Liberty and Arcadia townships in Iron County; **and**.

[C. A nonattainment area for carbon monoxide consists of the area within the boundaries of Interstate 270 and the Mississippi River in St. Louis City and County.]

AUTHORITY: sections 643.050 [, RSMo Supp. 1997] and 643.055, RSMo [1994] Supp. 1998. Original rule filed Aug. 16, 1977, effective Feb. 11, 1978. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 22, 1999.

PUBLIC ENTITY COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE ENTITY COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., December 9, 1999. The public hearing will be held at the Kansas City Downtown Marriott, 200 West 12th Street, Kansas City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven days prior to the hearing to Roger D. Randolph, Director, Air Pollution Control Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., December 16, 1999. Written comments shall be sent to Chief, Planning Section, Air Pollution Control Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, MO 65102-0176.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions,
Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.065 Operating Permits. The commission proposes to amend subsections (1)(B), (1)(D), (3)(D), (4)(J), and (4)(M);

and remove subsection (3)(E) and incorporate and renumber those paragraphs into subsection (3)(D). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency to replace the current rule in the Missouri State Implementation Plan.

PURPOSE: This amendment deletes the specified date from paragraph (1)(D)7. in order for the rule to be consistent with the U.S. Environmental Protection Agency rules on operating permits. Language and organizational clarifications are made to make it easier to understand and follow.

(1) Definitions.

(B) Basic state installations are installations which meet any of the following criteria, but are not */p/*Part 70 installations:

1. Emit or have the potential to emit any air pollutant in an amount greater than the *de minimis* levels;

2. Are, **or are awaiting a decision by the administrator about whether they are**, subject to a standard, limitation or other requirement under section 111 of the Act, including area sources subject to a standard, limitation or other requirement under section 111 of the Act;

3. Are, **or are awaiting a decision by the administrator about whether they are**, subject to a standard or other requirement under section 112 of the Act, except that a source is not required to obtain a permit solely because it is subject to rules or requirements under section 112(r) of the Act, including area sources subject to a standard or other requirement under section 112 of the Act, except that an area source is not required to obtain a permit solely because it is subject to regulations or requirements under section 112(r) of the Act.

(D) Part 70 installations are installations to which the */p/*Part 70 operating permit requirements of this rule apply, in accordance with the following criteria:

PUBLISHER'S NOTE: Paragraphs (1)(D)1.-5. remain as published in the Code of State Regulations.

6. Any installation in a source category designated by the administrator as a */p/*Part 70 source pursuant to 40 CFR 70.3; **and**

7. Installations that would be */p/*Part 70 sources strictly due to the following criteria are not subject to */p/*Part 70 source requirements *[until November 15, 1999, or]* until the administrator subjects this installation to these requirements by rule:

A. They are subject to a standard, limitation or other requirement under section 111 of the Act, including area sources; or

B. They are subject to a standard or other requirement under section 112 of the Act, except that a source, including an area source, is not required to obtain a permit solely because it is subject to rules or requirements under section 112(r) of the Act.

(3) Applicability.

(D) Exempt Installations and Emission Units. The following installations and emission units are exempt from the requirements of this rule *[unless they are subject to an applicable requirement]* **unless such units are Part 70 installations or are located at Part 70 installations**. Emissions from exempt installations and emission units shall be considered when determining if the installation is a */p/*Part 70 installation:

PUBLISHER'S NOTE: Paragraphs (3)(D)1.-12. remain as published in the Code of State Regulations.

13. Recreational fireplaces; *[and]*

14. Stacks or vents to prevent the escape of sewer gases through plumbing traps for systems handling domestic sewage

only. Systems which include any industrial waste do not qualify for this exemption~~/.~~;

[(E) Exempt Emission Units. The following emission units are exempt from the requirements of this rule. Emissions from exempt emission units shall be considered when determining if the installation is a part 70 installation:]

[1.]15. Combustion equipment that—

A. Emits only combustion products;

B. Produces less than one hundred fifty (150) pounds per day of any air contaminant; and

C. *[With]* **Has a maximum rated** capacity of—

(I) Less than ten (10) million British thermal units *[(BTUS)]* Btus per hour heat input by using exclusively natural or liquefied petroleum gas, or any combination of these; or

(II) Less than one (1) million *[(BTUS)]* Btus per hour heat input;

[2.]16. Office and commercial buildings, where emissions result solely from space *[heating by]* heaters using natural gas or liquefied petroleum gas **with a maximum rated capacity** of less than twenty (20) million *[(BTUS)]* Btus per hour heat input. Incinerators operated in conjunction with these sources are not exempt;

[3.]17. Any country grain elevator that never handles more than one million two hundred thirty-eight thousand six hundred fifty-seven (1,238,657) bushels of grain during any twelve (12)-month period and is not located within an incorporated area with a population of fifty thousand (50,000) or more. A country grain elevator is defined as a grain elevator that receives more than fifty percent (50%) of its grain from producers in the immediate vicinity during the harvest season. This exemption does not include grain terminals which are defined as grain elevators that receive grain primarily from other grain elevators. To qualify for this exemption the owner or operator of the facility shall retain monthly records of grain origin and bushels of grain received, processed and stored for a minimum of five (5) years to verify the exemption requirements. Monthly records must be tabulated within seven (7) days of the end of the month. Tabulated monthly records shall be made available immediately to Missouri Department of Natural Resources representatives for an announced inspection or within three (3) hours for an unannounced visit;

[4.]18. Restaurants and other retail establishments for the purpose of preparing food for employee and guest consumption; and

[5.]19. Sand and gravel operations that have a maximum capacity to produce less than seventeen and one-half (17.5) tons of product per hour and use only natural gas as fuel when drying.

(4) Basic State Operating Permits.

(J) Operating Permit Period. Each operating permit */accepted by the permitting authority/* under this section shall be effective for a period of five (5) years. The permit term shall commence on the date of receipt or acceptance, whichever is later.

(M) State Enforcement. All terms of an */accepted/* operating permit shall be enforceable by the permitting authority. The permitting authority is authorized, for enforcement purposes, to enter and inspect basic state installations at reasonable times and upon the presentation of proper credentials. The owner or operator will provide the representative of the permitting authority the stamped "Received" or */accepted/* copy of the operating permit notification upon entry.

AUTHORITY: section 643.050, RSMo [Supp. 1997] Supp. 1998. Original rule filed Sept. 2, 1993, effective May 9, 1994. Amended: Filed June 5, 1995, effective Jan. 30, 1996. Amended: Filed Oct. 3, 1995, effective June 30, 1996. Amended: Filed Aug. 14, 1997, effective April 30, 1998. Amended: Filed Sept. 22, 1999.

PUBLIC ENTITY COST: *This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE ENTITY COST: *This proposed amendment will not cost private entities more than \$500 in the aggregate.*

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: *A public hearing on this proposed amendment will begin at 9:00 a.m., December 9, 1999. The public hearing will be held at the Kansas City Downtown Marriott, 200 West 12th Street, Kansas City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven days prior to the hearing to Roger D. Randolph, Director, Air Pollution Control Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., December 16, 1999. Written comments shall be sent to Chief, Planning Section, Air Pollution Control Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, MO 65102-0176.*

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 2—Income Tax**

PROPOSED AMENDMENT

12 CSR 10-2.240 Determination of Timeliness. The department proposes to add new sections (7) and (8), and renumber the existing sections.

PURPOSE: *This amendment permits the use of a private delivery service and indicates what constitutes timely mailing by such service.*

(7) Any return, document or payment may be delivered by a private delivery service (PDS) to meet the timely mailing as timely filing/paying rule. Such PDS must be a properly designated PDS by the Internal Revenue Service (IRS) at the time the return, document or payment is delivered. Refer to IRS rules to determine the designated PDS. The IRS publishes a list in March and September of each year. PDSs cannot deliver items to P.O. boxes. The United States Postal Services must be used to mail any return, document or payment to Missouri Department of Revenue P.O. box address.

(8) The PDS is required to either—1) record electronically to its database (kept in the regular course of its business) the date on which an item was given to the PDS for delivery; or 2) mark on the cover of the item the date on which an item was given to the PDS for delivery. The date recorded or the date marked under this regulation is treated as the postmark date for purposes of section 143.851, RSMo.

[[7]] (9) If any date, including any extension of time for performing any act, falls on a Saturday, Sunday or a legal holiday in this state, the performance of the act shall be considered timely if it is performed on the next succeeding day which is not a Saturday, Sunday or legal holiday.

[[8]] (10) Example: Joe Jones, a Missouri taxpayer has a document that must be filed with the Department of Revenue on or before August 1, 1993. For that document to be considered timely, he must do one (1) of the following:

(A) Deposit the document with the United States Postal Service early enough that the United States postmark stamped on the envelope will be August 1, 1993 or earlier;

(B) Take the document to the United States Postal Office and have it registered by a postal employee on or before August 1, 1993; or

(C) Present the document in a certified envelope with return receipt requested to a United States postal employee and ask the postal employee to postmark the item on or before August 1, 1993.

AUTHORITY: *sections 136.120 and 143.961, RSMo 1994. Original rule filed March 1, 1993, effective Oct. 10, 1993. Amended: Filed Sept. 29, 1999.*

PUBLIC ENTITY COST: *This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE ENTITY COST: *This proposed amendment will not cost private entities more than \$500 in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to the proposed amendment with the Department of Revenue, Office of Legislation and Regulations, P.O. Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 111—Sales/Use Tax**

PROPOSED RULE

12 CSR 10-111.013 Drugs and Medical Equipment

PURPOSE: *Section 144.030.2(18), RSMo, provides an exemption for prescription drugs, orthopedic and prosthetic devices, numerous dental items, hearing aids, hearing aid supplies and certain sales of over-the-counter drugs. This rule explains the sales tax law as it applies to these exemptions.*

(1) In general, sales of prescription drugs, orthopedic and prosthetic devices and certain qualifying health-related equipment, and certain sales of over-the-counter drugs, are exempt from Missouri sales tax.

(2) Definition of Terms.

(A) Orthopedic device—a rigid or semi-rigid leg, arm, back or neck brace and casting materials which are directly used for the purpose of supporting a weak or deformed body member or restricting or eliminating motion in a diseased or injured part of the body.

(B) Over-the-counter drug—a drug product which may be purchased without a physician's prescription.

(C) Prescription drug—a drug dispensed by a licensed pharmacist only upon a lawful prescription from a licensed practitioner.

(D) Prosthetic device—a device that replaces all or part of the function of a permanently inoperative or malfunctioning internal body organ and is medically required.

(3) Basic Application of Tax.

(A) Sales of prescription drugs, insulin, medical grade oxygen, drug samples and materials used to manufacture samples, which may be dispensed by a licensed practitioner are exempt from tax. Sales of over-the-counter drugs when sold to an individual with a disability or to the individual's agent are exempt from tax. When selling over-the-counter drugs to an individual with disability, the retailer should obtain a purchaser's signed statement of disability. The retailer should retain these statements for three (3) years. The

statement should include the purchaser's name, type of purchase and amount of purchase, and be signed by the purchaser or the purchaser's agent. The retailer should request a form of identification, such as driver's license, credit card, etc. to verify the identity of the purchaser. Sales of prosthetic devices as defined on January 1, 1980, by the Federal Medicare Program under Title XVIII of the Social Security Act of 1965 are exempt from tax.

(B) Sales of orthopedic devices as defined by the Federal Medicare Program under Title XVIII of the Social Security Act of 1965 are exempt from tax.

(C) Also exempt from sales tax are items specified in section 1862(A)(12) of the Social Security Act of 1965. Exempt items included in this class are those used in connection with the treatment, removal or replacement of teeth or structures directly supporting teeth. Dental equipment or supplies are not exempt.

(D) Sales of other specific health-related equipment and accessories are exempt from sales tax.

1. These specific items are—

- A. Ambulatory aides
- B. Braille writers
- C. Electronic Braille equipment
- D. Home respiratory equipment and accessories
- E. Hospital beds and accessories
- F. Stairway lifts
- G. Wheelchairs, manual and powered

2. If purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, the following items are also exempt:

- A. Electronic print enlargers and magnifiers
- B. Electronic alternative and augmentative communication devices
- C. Items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities
- D. Reading machines
- E. Scooters

(4) Examples.

(A) A retailer sells an over-the-counter drug to an individual claiming a disability. The sale is exempt if the retailer obtains from the purchaser a statement similar to the following:

Purchases of over-the-counter drugs by individuals with disabilities are exempt from sales tax. IT IS UNLAWFUL TO FRAUDULENTLY CLAIM AN EXEMPTION. I CERTIFY THAT I HAVE A DISABILITY AND AM ENTITLED TO CLAIM THIS EXEMPTION.

Type of Purchase _____ Amount _____
Type of ID _____
ID Number _____
Name (print) _____
Signature _____

(B) Examples of exempt prosthetic devices include:

- 1. Breast prosthetics, including surgical brassieres for post-mastectomy patients
- 2. Cardiac pacemakers
- 3. Colostomy and other ostomy bags and the necessary equipment required for attachment
- 4. Electronic speech aids if the patient has had a laryngectomy or his/her larynx is permanently inoperative
- 5. Hearing aids and hearing aid supplies
- 6. Hemodialysis equipment
- 7. Maxillofacial devices and devices which replace all or part of the ear or nose
- 8. Prosthetic lenses which replace the lens of an eye

9. Urinary collection systems, including Foley catheters, when replacing bladder function in cases of permanent urinary incontinence

10. Eyeglasses, contact lenses, bedpans and incontinent apparel are not considered prosthetic devices and are subject to sales tax

(C) Examples of exempt orthopedic devices include:

- 1. Artificial legs, arms and eyes including terminal devices such as artificial hands
- 2. Hoods and space shoes which replace part of a foot
- 3. Orthotics
- 4. Stump stockings and harnesses when they are essential to the effective use of an artificial limb
- 5. Trusses
- 6. Elastic braces, elastic stockings, arm slings, elastic wraps and garter belts, are not considered orthopedic devices and are subject to sales tax

(D) Examples of exempt orthopedic and prosthetic devices used in dentistry include:

- 1. Restorative materials.
 - A. Acrylics
 - B. Aluminum crowns
 - C. Amalgam
 - D. Bases and liners
 - E. Cements
 - F. Chrome steel crowns
 - G. Copper bands
 - H. Crown forms
 - I. Dentin enamel adhesives
 - J. Denture anchors
 - K. Denture repair materials
 - L. Denture teeth
 - M. Gold
 - N. Mercury
 - O. Pins
 - P. Pit and fissure sealants
 - Q. Porcelains
 - R. Posts
 - S. Temporary filling materials
 - T. Zinc oxide (Eugenol)
- 2. Prosthetic devices and supportive materials.
 - A. Acrylics
 - B. Bonding materials
 - C. Chrome alloys
 - D. Composed materials
 - E. Denture anchors
 - F. Denture repair materials
 - G. Denture teeth
 - H. Implant materials
 - I. Metal alloys
- 3. Orthodontic devices and materials.
 - A. Arch bar splits
 - B. Bone grafting materials
 - C. Cresitine
 - D. Endodontic materials
 - E. Face bow head gear
 - F. Gor-tex grafting materials
 - G. Gutta percha points
 - H. Muscosal grafts (natural and artificial)
 - I. Orthodontic appliances
 - J. Orthodontic brackets
 - K. Orthodontic elastics
 - L. Orthodontic expansion screw
 - M. Orthodontic resins
 - N. Orthodontic separators
 - O. Orthodontic waxes
 - P. Orthodontic wires
 - Q. Root canal sealants

- R. Silver points
- S. Surgical wires

(E) Sales of other specific health-related equipment and accessories are exempt from sales tax.

1. These specific items are—

- A. Ambulatory aides
- B. Braille writers
- C. Electronic Braille equipment
- D. Hospital beds and accessories
- E. Home respiratory equipment and accessories
- F. Stairway lifts
- G. Wheelchairs, manual and powered

2. If purchased by or on behalf of a person with one (1) or more physical or mental disabilities to enable them to function more independently, the following items are also exempt:

- A. Electronic alternative and augmentative communication devices
- B. Electronic print enlargers and magnifiers
- C. Items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities
- D. Reading machines
- E. Scooters

AUTHORITY: section 144.270, RSMo 1994. Original rule filed Sept. 29, 1999.

PUBLIC ENTITY COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE ENTITY COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations, P.O. Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 111—Sales/Use Tax

PROPOSED RULE

12 CSR 10-111.016 Refunds and Credits

PURPOSE: Section 144.190, RSMo permits a taxpayer to file a claim for refund of an overpayment of sales or use taxes resulting from a mistake of fact or law. Section 144.100, RSMo requires a taxpayer to file an amended return to correct an error or omission on a return. Section 144.746, RSMo allows the taxpayer and the department to extend by agreement the time to file a claim for refund. Section 144.030.2(23), RSMo establishes special refund procedures for purchasers of domestic utilities under a non-domestic utility rate classification. This rule explains requirements for obtaining a refund or credit on overpayment of sales and use taxes.

(1) In general, if a taxpayer has overpaid tax, the taxpayer may file a claim for a refund with the department.

(2) Basic Application of Tax.

(A) A taxpayer may file a claim for a refund within three (3) years after the date of an overpayment. The date of the overpayment is the due date of the original return or the date paid whichever is later. The department will not consider a claim unless it is filed within the three (3)-year period. Every claim must be in

writing under oath, and must state the specific grounds upon which the claim is founded. If the overpayment is due to an error or omission in a previously filed return, the claim must be accompanied by an amended return for each period in which the tax was originally reported. If the error or omission is corrected in the return immediately following the filing period in which the error or omission occurred, no amended return or claim for refund is required.

(B) The person requesting the refund or credit must be the person who is legally obligated to remit the tax to the Department of Revenue. If a taxpayer erroneously pays sales tax to a vendor, the taxpayer should seek a refund from that vendor. Vendors may file a claim on behalf of the purchaser by submitting a claim for refund and amended returns for the period(s) in which the tax was erroneously remitted.

(C) The department will issue a statement approving the credit in the amount of the overpayment instead of a refund if the taxpayer requests a credit on the claim. The credit may be applied to any subsequent tax liability by attaching the approved credit authorization form to the return to which the credit is being applied. In no case, however, should a person take a credit for any overpayment of tax unless prior approval has been obtained from the department. If it is determined later that the person will incur no future liability, for example the business is closed, the credit may be returned to the department for a refund.

(D) If a sale is rescinded, no amended return or claim for refund is required. The seller may adjust its gross receipts on its next filed return. However, the adjustment may not exceed the gross receipts for the filing period.

(E) Interest is paid on all refunds at a rate established pursuant to section 32.057, RSMo. Interest does not apply to a credit.

(F) No refunds will be granted for illegally or erroneously overcharged or overcollected sales tax incident to credit card discounts, imposition of sales tax by the retailer upon amounts representing cigarette tax imposed under Chapter 149, RSMo, or imposition of sales tax by the retailer upon amounts representing tax on sales of beer, liquor or wine under Chapter 311, RSMo.

(G) The department may recover any refund or credit erroneously made or allowed in an action against the person legally obligated to remit the tax.

(H) A person making taxable, non-domestic purchases of utility services and using any portion of the services for nontaxable domestic use may apply for a credit or refund on the domestic use portion of the purchase. In addition, a person making domestic purchases of utility services on behalf of occupants of residential apartments, condominiums and nursing homes through a single or master meter, may also apply for a credit or refund on the domestic use portion of the purchase. Domestic use includes common areas and facilities as well as vacant units. The claim for refund must be filed between the first day of the first month and the fifteenth day of the fourth month following the year of purchase.

(I) Alternatively, the purchaser of nontaxable, domestic use utility services may request the utility company to apply for a refund on the domestic portion of its utility purchases. The utility company, as the seller of utilities, has three (3) years from the due date of its return for the period in which the domestic utilities were sold to file a claim for refund on behalf of the purchaser.

(J) The taxpayer and the department may extend by agreement the period allowed for filing a claim for refund. However, such an agreement is allowed only if the time for filing a claim for refund has not yet expired.

(3) Examples.

(A) A vendor collects tax on a sale to a customer that takes place in August and reports it on its August sales tax return. In October, that customer presents a valid exemption certificate for the August sale. To claim a refund, the vendor must complete a

notarized claim for refund and submit it with a copy of the invoice, the customer's exemption certificate and an amended August return.

(B) A carpet vendor determines that in the past three (3) years it has been collecting and remitting sales tax on carpet sales in which it is also installing the carpet in homes and businesses. The vendor purchases its carpet from a wholesaler located outside of the state. Therefore, the carpet vendor should have been paying use tax on its purchases of the carpet from its wholesaler and selling its carpet without charging sales tax on its installation sales. The vendor should complete amended sales tax returns for each period during the three (3) years and amended use tax returns for each period during the three (3) years. If the amended returns result in an overpayment, the carpet vendor may claim a refund by completing a refund application.

(C) A computer store sells a computer to a customer and reports the tax on its May sales tax return. In July the customer returns the computer for a full refund. Because the May sales tax has been remitted to the department the computer store adjusts its gross receipts for July. If the adjustment exceeds its July gross receipts, the computer store must submit an application for refund and an amended return for May.

(D) A manufacturer discovers it paid tax on its purchase of a piece of equipment that qualified for an expanded plant exemption. The manufacturer purchased the equipment from an equipment supply company who reported the tax to the department. The supply company must request the refund from the department on behalf of the manufacturer by submitting a refund application, the manufacturer's exemption certificate and an invoice of the sale.

(E) In March 1999, a taxpayer discovers it paid tax on a January 1996 sale for which it has an exemption certificate. The taxpayer submits a refund application for the exempt sale. Because the due date of the original January 1996 return was February 20, 1996, the refund application will be denied because it is not within the three (3)-year statute of limitations.

(F) In 1997, an apartment complex under a non-domestic rate classification pays the water bill, including sales tax, to the utility company for the entire complex. The apartment complex may file a claim for refund on its 1997 purchases of water prior to April 15, 1998.

(G) A nursing home that is under a non-domestic rate classification pays for the electricity, including tax for the entire facility in 1996, 1997 and 1998. The electric company may file a claim for refund on behalf of the nursing home in January 1999, as long as it is filed within three (3) years of the due date of the earliest return.

(H) The department begins an audit on a taxpayer on June 1, 1999, that will cover the tax periods May 1996 through May 1999. The department and the taxpayer may enter into an agreement to extend the period for issuing an assessment and for filing a claim for refund for a specified period of time. The agreement must be made before the original expiration date for issuing the assessment or claiming the refund and may be extended by subsequent agreements.

AUTHORITY: section 144.270, RSMo 1994. Original rule filed Sept. 29, 1999.

PUBLIC ENTITY COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE ENTITY COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations,

P.O. Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 3—Licensing of Physical Therapists and Physical Therapist Assistants

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Registration for the Healing Arts under sections 334.090.1 and .2 and 334.580, RSMo 1994; 334.125, 334.507, 334.540, 334.550 and 334.560, RSMo Supp. 1998, the board amends a rule as follows:

4 CSR 150-3.080 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 1999 (24 MoReg 1497). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received no comments from the public relative to the proposed amendment to Rule 4 CSR 150-3.080 specifically the proposed amendments to Section (1), (1)(D), (1)(E), (1)(F) and the addition of (1)(G).

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 3—Licensing of Physical Therapists and Physical Therapist Assistants

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Registration for the Healing Arts under sections 334.125 and 334.507, RSMo Supp. 1998, the board adopts a rule as follows:

4 CSR 150-3.200 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 1999 (24 MoReg 1497-1498). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received no comments from the public relative to this proposed rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 3—Licensing of Physical Therapists and Physical Therapist Assistants

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Registration for the Healing Arts under sections 334.100, 334.125, 334.507, 334.610 and 334.650, RSMo Supp. 1998, the board adopts a rule as follows:

4 CSR 150-3.201 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 1999 (24 MoReg 1498-1501). The sections of the proposed rule with changes are reprinted herein. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Board and the Advisory Commission received and reviewed all comments submitted bearing a postal mark of July 15, 1999 or before.

COMMENT: One (1) comment was received suggesting deletion of the phrase "as well as the category."

RESPONSE AND EXPLANATION OF CHANGE: The Board and the Advisory Commission agreed to this deletion noting that a majority of the physical therapy educational courses offered at the present time are not categorized as is common with other health professions. The deletion of this phrase is noted in this Order of Rulemaking.

COMMENT: One (1) comment was received relative to Section (4) was that this Section be deleted wherein licensees would not be required to maintain documentation of compliance; or that this Section be amended to require all licensees to submit documented

proof of compliance at the time of renewal in order to qualify for licensure registration renewal.

RESPONSE: The Board and the Advisory Commission did not vote to amend/delete Section (4) based on this comment due to the large volume of paperwork that would be required of each licensee, and the staff that would be necessary to process, calculate and determine if the hours were creditable during renewal cycle which would delay the processing of all licensure renewals.

COMMENT: Another comment expressed a personal feeling that the "honor system" was not acceptable, that all licensees should be required to submit proof of continuing education compliance prior to the renewal of their license. Another comment expressed that licensees should not have to retain documentation of compliance, but rather submit all documentation of compliance at the time of renewal in order to obtain licensure renewal.

RESPONSE: The Board and the Advisory Commission concluded that this requirement as opposed to Board/Commission random auditing plans, would require more employees to process the renewal forms in a timely fashion, counting the hours and determining if such hours meet criteria for acceptable hours; which would ultimately delay the processing of all licenses.

COMMENT: One (1) comment received brought attention to a typographical error in Section (5) of the Proposed Rule which read "physical therapy assistant" rather than "physical therapist assistant".

RESPONSE AND EXPLANATION OF CHANGE: The Board and the Advisory Commission acknowledged this typographical error and corrected the terminology in this Order of Rulemaking.

COMMENT: Numerous comments were received stating opposition to the statutorily mandated continuing education hours required for licensure registration renewal, the majority stating thirty (30) hours was excessive over a two (2) year period.

RESPONSE: The Board and the Advisory Commission refer such comments to Section 334.507, RSMo 1998 which mandates such requirements.

4 CSR 150-3.201 Continuing Education Requirements

(4) All licensed physical therapists and physical therapist assistants shall retain records documenting attendance and completion of the required thirty (30) hours of continuing education for a minimum of four (4) years after the reporting period in which the continuing education was obtained. The records shall document the titles of the continuing education activity completed including the date, location and course sponsors and number of hours earned. The board may conduct an audit of licenses to verify compliance with the continuing education requirement. Licensees shall assist in this audit by providing timely and complete responses upon board request for such information and documentation.

(5) Violation of any provision of this rule shall constitute misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions and duties of a physical therapist and/or physical therapist assistant. In addition, a licensee who fails to complete and report in a timely fashion the required thirty (30) hours of continuing education and engages in active practice as a physical therapist and/or physical therapist assistant without the expressed written authority of the board shall be deemed to have engaged in the unauthorized practice of physical therapy and/or unauthorized practice as a physical therapist assistant consistent with the provisions of sections 334.510, 334.610 and 334.650, RSMo; furthermore such action may be deemed grounds for disciplinary action pursuant to section 334.100, RSMo.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 3—Licensing of Physical Therapists and Physical Therapist Assistants

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Registration for the Healing Arts under sections 334.100, 334.125 and 334.507, RSMo Supp. 1998, the board adopts a rule as follows:

4 CSR 150-3.202 Continuing Education Extensions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 1999 (24 MoReg 1502-1505). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received no comments from the public relative to this proposed rule.

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 10—Air Conservation Commission

Chapter 5—Air Quality Standards and Air Pollution Control Rules Specific to the St. Louis Metropolitan Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 1998, the commission amends a rule as follows:

10 CSR 10-5.380 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 1999 (24 MoReg 1513-1520). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department received comments from the Environmental Protection Agency (EPA) and America Automobile Association (AAA).

COMMENT: EPA commented that in paragraph (1)(B)1., the definition of contractor should be revised to read—The State-contracted company responsible for implementing and operating...

RESPONSE: The Department believes the definition for contractor is sufficient. No change was made as result of this comment.

COMMENT: EPA commented that in paragraph (1)(B)5., the word typically should be removed from the second sentence unless there are situations when the fee is not collected during the initial inspection. In which case, additional language would be required. RESPONSE AND EXPLANATION OF CHANGE: The Department agrees and has changed the proposed rule to remove the word typically from paragraph (1)(B)5.

COMMENT: EPA commented that the State may want to provide a transition period, once Federal regulations incorporate alternative fueled vehicles, into the rule.

RESPONSE: The Department understands and will change the proposed rule when the Federal regulations incorporate alternative fueled vehicles. Until the Federal regulations are changed, the Department believes the rule does not need any additions or changes. No change was made as result of this comment.

COMMENT: EPA commented that in paragraph (3)(E)4., the phrase—for each individual fee paid by a vehicle owner or driver—should be added to the first sentence. They also questioned whether the fee requirements should be in the rule.

RESPONSE AND EXPLANATION OF CHANGE: The Department agrees and, for clarification, has added the EPA's suggested language.

COMMENT: EPA commented that in paragraph (3)(F)2. should begin—A vehicle—rather than—Vehicles.

RESPONSE AND EXPLANATION OF CHANGE: The Department agrees and has changed the proposed rule language.

COMMENT: EPA commented that information should be provided to the motorist if the inspector refuses to perform the inspection pursuant to paragraph (3)(F)2. If an inspection is refused, the rule should clarify whether any subsequent inspection is an initial inspection or a reinspection.

RESPONSE AND EXPLANATION OF CHANGE: The Department agrees and has changed the proposed rule language.

COMMENT: EPA commented that nowhere is it mentioned that registration will be denied for motorists who do not provide a certificate of compliance at time of registration.

RESPONSE: The Department acknowledges EPA's concern. However, motor vehicles are registered with the Department of Revenue (DOR). DOR has regulations describing the registration process. DOR will deny a vehicle registration if a motorist does not have proper documentation including a certificate of compliance from the emission inspection program. No change was made as a result of this comment.

COMMENT: EPA commented that the term—department approved inspector—be defined. The reader could interpret the term to mean that the person could be either a State or contractor employee. They also recommend that the State require the inspectors to meet the requirements outlined in 40 CFR 51.367.

RESPONSE: The Department intended the term—department approved inspector—to be either a State or contractor employee. The Department will have State inspectors at the Quality Assurance Facility. This facility will handle disputes including waivers and questionable reinspections. The criteria for approving an inspector will include the requirements in 40 CFR 51.367 and is addressed in the contract. No change was made as a result of this comment.

COMMENT: EPA commented that clarification is needed for pressure and purge test terms used in the proposed rule. Only one reference mentions that an approved method must be developed before use. Perhaps each reference to pressure and purge testing should be clarified that only an approved test must be used.

RESPONSE: The Department believes the definition used in the proposed rule of evaporative pressure test and evaporative purge sufficiently covers any clarification needed. The proposed rule in subsections (5)(D) and (5)(E) use the term approved to describe the two evaporative tests. No change was made as a result of this comment.

COMMENT: EPA commented that subsection (3)(H) seems to improperly allow the issuance of waivers by the inspector. They state that only the State may issue waivers according to 40 CFR 51.360 (c). The State should clarify the distinction between issuance and delivery of a waiver.

RESPONSE AND EXPLANATION OF CHANGE: The Department agrees that clarification is needed. The term—department approved inspector—has been replaced with—department, assistant station manager, or station manager. The Department understands the requirements of 40 CFR 51.360 (c) and believes by allowing the station managers to issue waivers will not compromise the Federal requirements and keep public convenience secured.

COMMENT: EPA commented that subparagraph (3)(H)1.B. allows waiver expenditures which may be acceptable for basic inspection and maintenance programs but not for enhanced inspection and maintenance programs. This would have to be changed if an enhanced inspection and maintenance program is ever required.

RESPONSE: The Department understands this requirement. Missouri law defines the waiver expenditures, which the proposed rule reflects. The State is not required to meet the enhanced inspection and maintenance program requirements. No change was made as a result of this comment.

COMMENT: EPA commented that subparagraph (3)(H)1.D. should provide that the—waiver affidavit—will be used on a form provided by the state delegated authority if a particular contractor form is to be used.

RESPONSE AND EXPLANATION OF CHANGE: The Department agrees and has revised subparagraph (3)(H)1.D.

COMMENT: EPA commented that subsection (3)(I) should be revised to make the following clarifications. The number of vehicles may be limited which may use the clean screen procedure in place of an emission test.

RESPONSE: The Department intends for all vehicles to be eligible for clean screen but the cutpoints will determine which vehicles will receive a notification of being clean screened. No change was made as a result of this comment.

COMMENT: EPA commented that the rule does not specify who performs the clean screen procedure.

RESPONSE: In the definition section the term contractor is defined as the contracted company who shall implement and operate the motor vehicle emissions inspection program. The clean screen program is part of the motor vehicle emissions inspection program so therefore the contractor operates the clean screen program by definition. No change was made as a result of this comment.

COMMENT: EPA commented that the term—state agency—is not defined.

RESPONSE AND EXPLANATION OF CHANGE: The Department agrees and has changed the language in paragraph (3)(I)1. to remove this term.

COMMENT: EPA commented that part (3)(I)1.A.(V) does not state who is responsible for determining or what is the criteria for the statement—potential for fraudulent exemption notification shall be minimized.

RESPONSE AND EXPLANATION OF CHANGE: The Department agrees and has removed this phrase because it is not needed for the purposes of this proposed rule.

COMMENT: EPA commented the clean screen fee reimbursed to the State needs to be clarified that it is \$2.50 per clean screen certificate issued.

RESPONSE AND EXPLANATION OF CHANGE: The Department agrees and has revised the language in paragraph (3)(I)3.

COMMENT: EPA commented that the term—vehicle in the fleet—may not be correct.

RESPONSE AND EXPLANATION OF CHANGE: The Department understands the concern and has revised the language

in subparagraph (3)(I)1.B. and part (3)(I)1.B.(I) to clarify that this includes all of the vehicles in the St. Louis Ozone Nonattainment Area.

COMMENT: EPA commented that in subsection (5)(F) the phrase—Evaporative System Pressure Test—should be used consistently.

RESPONSE AND EXPLANATION OF CHANGE: The Department agrees and has revised the language in subsection (5)(F).

COMMENT: EPA commented that subsection (5)(G) needs clarification. They want to know who collects the on-board diagnostic information and who generates the reports from the information collected.

RESPONSE: The Department believes the definition of—Contractor—covers who will collect the on-board diagnostic information and generate the appropriate reports as required by the proposed rule. No change was made as a result of this comment.

COMMENT: EPA commented that the on-board diagnostic provision should be clarified whether or not the information is used in place of an emission inspection or as part of the emission inspection. They recommend that the on-board diagnostic provisions be consistent with 40 CFR 51.351 and 40 CFR 85.2207.

RESPONSE: The Department believes the proposed rule clearly states that the on-board diagnostic test is a part of the emission inspection and vehicles will not fail this test until January 1, 2001. The proposed rule also references 40 CFR 85.2207 for minimum requirements to be met. No change was made as a result of this comment.

COMMENT: AAA commented that requiring the vehicle owner to show proof that an emission recall notice has been complied with is impractical and unreasonable.

RESPONSE: The Department understands the difficulty that this requirement will impose but through the public information campaign vehicle owners will be educated. The goal of this program is to find and fix high emission vehicles. Just notifying the customer that there is an emission recall notice for their vehicle and then letting them pursue it on their own will not guarantee that compliance with the recall will be fulfilled. This requirement in the proposed rule will make sure the emission recall is completed. No change was made as a result of this comment.

COMMENT: AAA commented that the clean screen fee seemed too high.

RESPONSE: The Department believes that for equity issues and to maintain a high quality program that a fee of \$24 is fair. No change was made as a result of this comment.

COMMENT: AAA asked if remote sensing identifies a vehicle that should be inspected at a station, will that override a low-emission profile clean screen identification.

RESPONSE: The Department intends for the clean screen program to only identify vehicles that are low emission emitters or clean vehicles. This program will not identify gross polluters. If a vehicle is identified as a clean vehicle through low emission profiling then the vehicle owner will be mailed a clean screen notice. No change was made as a result of this comment.

10 CSR 10-5.380 Motor Vehicle Emissions Inspection

(1) Definitions.

(B) Additional definitions specific to this rule are as follows:

1. Contractor—The state contracted company who shall implement and operate the motor vehicle emissions inspection program as specified in sections 643.300–643.355, RSMo;

2. Control chart—Statistical method of showing graphically, determining, forecasting, and maintaining performance conditions and parameters in the pursuit of appropriate quality control;

3. Department—The Department of Natural Resources;

4. Gross Vehicle Weight Rating (GVWR)—The value specified by the manufacturer as the maximum design loaded weight of a single vehicle;

5. Initial inspection—An inspection consisting of the test series that occurs the first time a vehicle is inspected in an inspection cycle. The required test fee is collected upon an initial inspection;

6. Light duty truck (LDT)—Any motor vehicle rated at eight thousand five hundred pounds (8,500) GVWR or less which has a vehicle curb weight of six thousand pounds (6,000) or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is: designed primarily for purposes of transportation of property or is a derivation of such a vehicle; or designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or available with special features enabling off-street or off-highway operation and use;

7. Light duty vehicle (LDV)—A passenger car or passenger car derivative capable of seating twelve (12) passengers or less;

8. Qualifying repair—Any repair or adjustment performed on a vehicle's emission control system after failing an emissions inspection, that is appropriate to the test failure. Qualifying repairs shall include the repair or adjustment of emission control devices such that the requirements of parts (3)(H)1.B.(IV)–(3)(H)1.B.(XI) of this rule are satisfied;

9. Recognized repair technician—any person who—

A. Is professionally engaged in vehicle repair or employed by an ongoing business whose purpose is vehicle repair;

B. Has valid certifications in National Institute for Automotive Service Excellence (ASE) Electrical Systems (A6), Engine Performance (A8), and Advanced Engine Performance Specialist (L1); and

C. Has satisfactorily completed an independent or vehicle manufacturer's training course, approved by the department, or has passed a nationally-recognized test, approved by the department, which course or test covers the emissions tests given, diagnosis of the causes for failures, and repair work most frequently done for vehicles failing the transient emission test;

10. Steady state emission test—An engine exhaust emissions test in which the engine of a vehicle remains at a relatively uniform number of revolutions per minute;

11. Tier 1—New gaseous, particulate tailpipe, and emission standards established by United States Environmental Protection Agency (EPA) for use in certifying new light duty vehicles and light duty trucks phased in beginning with the 1994 model year;

12. Transient emission test—An engine exhaust emissions test in which the engine of a vehicle is put under changing load requirements intended to simulate actual driving conditions; and

13. Unsafe condition—The mechanical and physical condition of a motor vehicle which an emissions inspector believes has the potential to cause harm to persons or property during the course of an emissions inspection.

(3) General Requirements.

(E) Emission Inspection Fee.

1. The vehicle owner or driver shall pay twenty-four dollars (\$24) to the centralized emission inspection station.

2. This fee shall also include free reinspections, provided the vehicle owner or driver complies with all reinspection requirements as required in subsection (3)(G) of this rule, and the reinspections are conducted within thirty (30) days of the initial inspection.

3. The required test fee shall be reduced on days of operation, other than the last three (3) days of operation in each calendar

month, by an amount proportional to the time that the vehicle owner or driver is required to wait before the inspection begins.

A. If the wait time is greater than fifteen (15) minutes, the fee shall be reduced by five dollars (\$5);

B. If the wait time is greater than thirty (30) minutes, the fee shall be reduced by ten dollars (\$10); or

C. If the wait time is greater than one (1) hour, the fee shall be reduced by twenty dollars (\$20).

4. The fee reimbursed to the State by the contractor shall be two dollars and fifty cents (\$2.50) for each individual fee paid by a vehicle owner or driver. The fee shall be remitted to the director of revenue on a weekly basis. The director of revenue shall deposit the fee into the "Missouri Air Emission Reduction Fund" as established by 643.350, RSMo.

(F) Vehicle Inspection Process. The emission inspection shall consist of emission tests and functional tests which shall be subject to the following requirements:

1. If a subject vehicle is targeted for a voluntary or mandatory manufacturer's emission recall notice issued after July 1, 1995, the vehicle owner or operator shall present to the emission inspection station proof of compliance with the recall notice;

2. A vehicle shall not be tested if all or part of the exhaust system is missing, leaking, or if the vehicle is in an unsafe condition. If a motor vehicle is refused for inspection then the inspector shall give the motorist a form that identifies the reasons for inspection refusal. No fee shall be charged for this inspection;

3. Upon entering the inspection station queuing area and prior to inspection commencement, the vehicle owner or driver shall be presented a time card for the verification of arrival time and wait time;

4. The vehicle owner or driver shall have access to an area in the inspection station that permits observation of the entire official inspection procedure of the vehicle tested. This access may be limited, but it shall not prevent observation;

5. Vehicles shall be tested in as-received condition. An official test, once initiated, shall be performed in its entirety regardless of immediate outcome, except in the case of an invalid test condition, unsafe conditions, or test completion via fast pass algorithms;

6. The initial inspection shall be performed without repair or adjustment at the emission inspection station prior to commencement of any tests, except as provided for in the evaporative system pressure and purge tests. Emission inspections performed after the initial inspection in an inspection cycle shall be considered a reinspection and are subject to provisions of subsection (3)(G) of this rule;

7. If a subject vehicle passes all emission inspection requirements within a complete inspection cycle, the emission inspection station shall issue the vehicle owner or driver an emission inspection certificate of compliance certifying that the vehicle has passed the emission inspection, and place an emission inspection sticker on the windshield of the subject vehicle. The positioning of the sticker on the windshield of the vehicle shall take place on the premises of the emission inspection station;

8. If a subject vehicle fails any phase of the emission inspection requirements, the emission inspection station shall provide the vehicle owner or driver with an emission inspection test report indicating which part(s) of the emission inspection that the vehicle failed, a list of repair facilities employing at least one (1) recognized repair technician, a repair data sheet, and a copy of the customer complaint procedure;

9. If a subject vehicle fails any part of the emission inspection, the vehicle owner must have the vehicle repaired and complete a repair data sheet before submitting the vehicle for reinspection; and

10. If the subject vehicle fails a reinspection, the vehicle owner can apply for a compliance waiver. If all waiver requirements as prescribed in subsection (3)(H) of this rule are met, a

waiver shall be issued by the department-approved inspector at the emission inspection station.

(H) Issuance of a Waiver.

1. The department, assistant station manager, or station manager at the emission inspection station shall issue an emission inspection certificate of compliance, with an indicator to show that the vehicle has received a waiver to the vehicle owner or driver, and an emissions inspection sticker shall be affixed to the subject vehicle provided the following waiver requirements are met:

A. The subject vehicle has failed the initial emission inspection, and has failed a reinspection(s) after all qualifying repairs have been completed. As prescribed in paragraph (3)(G)2. of this rule, a completed repair data sheet for the failed initial inspection and for all failed reinspections in the applicable inspection cycle must also be presented to the department approved inspector at the emission inspection station when applying for a waiver;

B. The amount spent on qualifying repairs shall—

(I) Exceed seventy-five dollars (\$75) for pre-1981 model year vehicles;

(II) Exceed two hundred dollars (\$200) for 1981 to 1996 model year vehicles;

(III) Exceed four hundred fifty dollars (\$450) for 1997 and later model year vehicles;

(IV) Include parts costs and labor costs paid for qualifying emission repair services performed on the vehicle if paid by the vehicle owner and if the qualifying repairs were performed or supervised by a recognized repair technician as prescribed in part (3)(H)1.C.(IV) of this rule. For qualifying emission repair services performed by someone other than a recognized repair technician, parts costs, but not labor costs, shall be counted toward the minimum cost to qualify for a waiver;

(V) Be appropriate to the test failure;

(VI) Not include expenses which are incurred for the repair of emission control devices which have been found to be tampered with, rendered inoperative, or removed;

(VII) Not include costs for emissions repairs or adjustments covered by an automobile manufacturer's warranty, insurance policy, or contractual maintenance agreement. The emissions repair costs covered by warranty, insurance, or maintenance agreements shall be separated from other emissions repair costs and shall not be applied toward the waiver cost limitations. The operator of a vehicle within the statutory age and mileage coverage under subsection 207(b) of the federal Clean Air Act shall present a written denial of warranty coverage, with a complete explanation, from the manufacturer or authorized dealer in order for this provision to be waived;

(VIII) Not include the fee for an emission inspection;

(IX) Not include charges for obtaining a written estimate of needed repairs;

(X) Not include charges for checking for the presence of emission control devices; and

(XI) Not include costs for repairs performed on the vehicle before the initial inspection failure;

C. The vehicle owner or driver shall present the original of all repair receipts at the inspection station to demonstrate compliance with the qualifying dollar amount. The department-approved inspector issuing a waiver shall verify emission-related repairs by visually inspecting the vehicle and reviewing repair receipts. The receipts shall—

(I) Include the name, address, and phone number of the repair facility;

(II) Describe the repairs that were performed;

(III) State the labor costs (where applicable) and parts costs for each repair; and

(IV) Include the name (printed or typed) and signature of the recognized repair technician that performed or supervised the repair work (where applicable); and

D. The vehicle owner or driver shall present a completed, signed waiver affidavit provided by the contractor to department-approved inspector at the emission inspection station indicating the costs of repairs and stating that the repairs were made in an attempt to meet the appropriate emission standards. After the effective date of this rule, any revision to the contractor supplied forms will be presented to the regulated community for a forty-five (45)-day comment period.

2. The department-approved inspector shall issue an emission inspection certificate of compliance, with an indicator to show that the vehicle has received a waiver to the vehicle owner or driver and an emissions inspection sticker shall be affixed to the subject vehicle provided the vehicle owner or driver presents a completed, signed waiver affidavit to the department-approved inspector indicating that the vehicle will be operated exclusively in an area outside of the inspection area for a period of at least the next twenty-four (24) months.

3. The department-approved inspector shall issue an emission inspection certificate of compliance with an indicator to show that the vehicle has received a waiver to the vehicle owner or driver and an emissions inspection sticker shall be affixed to the subject vehicle provided the vehicle owner or driver presents proof, acceptable to the department-approved inspector, that the subject vehicle has successfully passed an emission inspection of another state within the previous twelve (12) months which has been deemed equivalent to Missouri's emission inspection by the department.

(I) Clean Screening Requirements. Clean screening shall be used to exempt the cleanest subject vehicles from emissions testing at centralized emission inspection stations. All subject vehicles including federal, state, and local government agency vehicles shall be eligible for clean screening. Motorist participation shall be strictly voluntary.

1. All clean screening plans must be approved by the department. Clean screening plans shall meet at least one of the following requirements:

A. Remote sensing device (RSD) requirements. The cutpoints shall be determined corresponding to vehicle model year and measure vehicle emission concentrations for hydrocarbons (HC), carbon monoxide (CO), and nitrogen oxides (NO_x) according to the EPA guidelines in "Description and Documentation for Interim Vehicle Clean Screening Credit Utility" (Draft Report) May 1998. The cutpoints should minimize the potential of dirty vehicles being falsely identified as clean. The use of speed and acceleration analysis to define a valid test should also be used. Remote sensing data collection shall occur during each month of the year, weather permitting, so that clean screening exemptions due to remote sensing are distributed throughout the year.

(I) Remote sensing units shall be designed, programmed, maintained, calibrated, and quality assured in keeping with good engineering practice.

(II) Two (2) valid RSD tests with all three (3) pollutants on each test are required to exempt a vehicle with a clean screening determination. If a vehicle's record lacks any of the three (3) pollutant concentrations, that vehicle shall not be eligible for exemption based upon that record.

(III) The two (2) valid RSD tests must be recorded no more than twelve (12) months before the vehicle's emission test. Test results must be recorded on two (2) different days. If the vehicle database accumulates more than two (2) records during the twelve (12)-month period, the two (2) most recent tests must be used for clean screening evaluation.

(IV) Remote sensing sites must be selected and rotated to achieve broad vehicle fleet coverage. Remote sensing sites must also be selected using good engineering practice in terms of traffic flow, road grade, acceleration, speed, and other appropriate items. Sites should be selected that avoid vehicles still in cold start mode.

(V) Record gathering for more recent RSD data shall cease one (1) month ahead of each vehicle's registration month.

This cutoff allows time to match RSD tests, identify which vehicles can be exempted, and notify vehicle owners before the vehicle registration deadline.

(VI) Owners of eligible vehicles shall be notified one (1) month prior to the vehicle's registration month that the clean screening database contains two (2) valid records meeting the required cutpoints.

(a) The notification shall be sent to the subject vehicle owner's most current address on record.

(b) The notification shall include the dates, locations and the two (2) valid test results compared to the appropriate cutpoints.

(VII) A random sample of the vehicles that would be excused from emissions testing based on their remote sensing records shall undergo the emissions test during the normal inspection frequency. The EPA shall approve the size of the random sample. To assure these vehicles are truly random and not specially altered for the emissions testing, owners of these vehicles shall not be informed of their clean screening exemption status;

B. Vehicle emissions profiling requirements. Low emitter profiling (LEP) shall be used to exempt the cleanest subject vehicles according to the EPA guidelines in "Description and Documentation for Interim Vehicle Clean Screening Credit" (Draft Report) May 1998. RSD and emissions testing information may be used to supplement the profiling process.

(I) An LEP database shall be developed for the subject vehicles using sufficient information from both the Department of Revenue Motor Vehicle Bureau database and fleets in other states according to the EPA guidelines. The database shall have at least one (1) million vehicle records spanning a one (1)-to two (2)-year period.

(II) The vehicle profiles shall identify all subject vehicles required to undergo emissions testing grouped by engine family, defined as vehicle model year, make, model, engine size, and fuel metering system, and the probability that a particular vehicle in each grouping would fail the relevant emissions test.

(III) The LEP database shall be updated on a regular interval based on data gathered from the subject vehicles.

(IV) Owners of eligible vehicles that meet the LEP requirements shall be notified one (1) month prior to the vehicle's registration month.

(a) The notification shall be sent to the subject vehicle owner's most current address on record.

(b) The notification shall list the LEP requirements for that engine family.

(V) A random sample of the vehicles that would be excused from emissions testing based on their LEP shall undergo the emissions test during the normal inspection frequency; or

C. Alternative method requirements.

(I) The EPA and the department shall approve the use of any alternative method or new technologies used for clean screening.

(II) Owners of eligible vehicles that meet the department approved clean screen requirements shall be notified one (1) month prior to the vehicle's registration month.

(III) The notification shall include information approved by the department. The notification shall be sent to the subject vehicle owner's most current address on record.

(IV) A random sample of the vehicles that would be excused from emissions testing based on the alternative method shall undergo the emissions test during the normal inspection frequency.

2. The fee for a clean screen compliance certificate and sticker shall be twenty-four dollars (\$24) provided the requirements of paragraph (3)(I)1. of this rule are met.

3. The fee reimbursed to the state by the contractor shall be two dollars and fifty cents (\$2.50) per paid clean screen certificate. The fee shall be remitted to the director of revenue on a weekly

basis. The director of revenue shall deposit the fee into the "Missouri Air Emission Reduction Fund" as established by 643.350, RSMo.

4. An on-road testing program shall provide information about the emission performance of in-use subject vehicles by measuring on-road emissions through the use of remote sensing devices or roadside pullovers including tailpipe emission testing. The program shall collect and analyze on-road testing data. On-road testing is not required every season or on every vehicle but shall evaluate the emission performance of 0.5% of the subject fleet. Owners of subject vehicles that have previously been through the normal periodic emission inspection and passed the final retest that are found to be high emitters shall be notified that the vehicles are required to pass an out of cycle follow up emission inspection.

(5) Test Procedures.

(F) Evaporative System Pressure Test. Until such time as the department approves an evaporative system pressure test that is more comprehensive, nonintrusive, and is approved by the EPA, the evaporative system pressure test procedure shall be as follows:

1. A gas cap test, done to the extent practical, shall be performed on all 1981 and newer model year subject vehicles;

2. The gas cap test sequence shall consist of the following steps:

A. The gas cap will be connected to the adapter of the test equipment;

B. The gas cap shall be pressurized with air to 30 ± 0.5 inches of water;

C. The gas cap leak rate shall be compared to an orifice with a flow rate of sixty (60) cubic centimeters per minute at thirty inches (30") of water;

3. Vehicles shall fail the gas cap test if the gas cap exceeds a flow rate of sixty (60) cubic centimeters per minute; and

4. A visual inspection of the evaporative emission system shall also be performed, where practical. Vehicles shall fail the visual inspection of the evaporative emission system if the canister is missing or obviously damaged, if the hoses are missing, damaged or obviously disconnected, or if the gas cap is missing.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions,
Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 1998, the commission amends a rule as follows:

10 CSR 10-6.110 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 1999 (24 MoReg 1520-1533). The section with changes is reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Air Pollution Control Program received one comment from the U.S. Environmental Protection Agency (EPA), Region VII.

COMMENT: EPA's comment expressed general concern related to whether Missouri may lose the ability to collect fees from past years in processing routine updates if the amendment to the Submission of Emission Data, Emission Fees and Process Information rule is adopted as proposed.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees. Establishing emission fees on an annual basis does not relieve emission sources from the payment of fees for previous years. Additional wording to the proposed amendment to this rule is in a new subsection. See the new subsection (5)(E) for clarification on fee collection.

10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information

(5) Emission Fees.

(E) Fee Collection. The annual changes to this rule to establish emission fees for a specific year do not relieve any source from the payment of emission fees for any previous year.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.805, and 313.817, RSMo 1994 and 313.807, RSMo Supp. 1998, the commission amends a rule as follows:

11 CSR 45-5.180 Tournament Chips, Tokens, and Promotional Coupons is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 1999 (24 MoReg 1534). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo Supp. 1998, the commission amends a rule as follows:

11 CSR 45-30.525 Supplier Recordkeeping Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 1999 (24 MoReg 1534-1535). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One comment was received.

COMMENT: Roger D. Looney, Bingo Chairman, American Legion Post 217, supports the proposed change.

RESPONSE: The staff has reviewed the comment received and recommends that no change be made to the text of the proposed amendment at this time.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo Supp. 1998, the commission amends a rule as follows:

11 CSR 45-30.600 Electronic Bingo Card Monitoring Devices is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 1999 (24 MoReg 1535). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Three comments were received. Below is a summary of those comments:

COMMENT: Harry Swanger, Compton Heights Concert Band, St. Louis, Missouri, states after a few more weeks of using the EBCMD and in reviewing our figures for the two months of test use, we are urging you even more strongly than ever to please take immediate actions relative to the EBCMD rules: 1) eliminate the paper backup requirement; and 2) increase the limit from 54 cards to 108 cards.

The paper backup requirement creates a nightmare for the workers and is totally unnecessary for tax collection or the integrity of the game. It must be eliminated if the EBCMDs are going to make it.

More and more players are demanding the ability to play far more than the present 54 card limit. Many want a second unit and want to play 108 cards. The state is losing a lot of tax revenue by limiting the cards to 54. Increased bingo proceeds makes us more self-sufficient and less dependent on other forms of charitable support.

COMMENT: Robert Krieg, Captain, Knights of Columbus Council No. 6435, opposes the use of EBCMD although he did not submit any written changes to the text of the proposed amendment.

COMMENT: Monty Biggerstaff, President, Northland Optimist, Gladstone, Missouri, opposes Section (25). A petition submitted with 36 additional signatures stating "We the undersigned, being registered voters in the State of Missouri, do hereby oppose the proposed changes to 11 CSR 45-30.600(25)." We strongly voice our opposition to requiring "Game Operators must require that all bingo paper used in conjunction with the game be turned in by every player to the game operator and destroyed." Game operators who fail to comply with this requirement are subject to discipline pursuant to Section 313.052.

RESPONSE: The staff has reviewed the comments and recommends that no changes be made to the text of the proposed amendment at this time. The bingo card per face tax is reported and collected from licensed suppliers. The EBCMD have not been tested to ensure the per face tax can be reported accurately without the use of the paper. If, at a later date, assurances that the taxes can be collected, without the paper as back up, the elimination of the paper could be considered. Additionally, it appears that section 313.040(17) requires the use of disposable paper bingo cards. Players who wish to play more than 54 cards can do so by purchasing additional cards and manually daubing the additional cards.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 20—Fiscal**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission amends a rule as follows:

12 CSR 40-20.040 Return of Tickets for the Instant Game is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1736). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 80—General Rules—Instant Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.230(2), RSMo 1994, the commission amends a rule as follows:

12 CSR 40-80.010 Definitions for All Instant Games is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1736-1737). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 80—General Rules—Instant Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission amends a rule as follows:

12 CSR 40-80.020 Manner of Selecting Winning Instant Tickets; Frequency of Drawings is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1737). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 80—General Rules—Instant Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission amends a rule as follows:

12 CSR 40-80.030 Limitation on Awarding Instant Prizes is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1737-1738). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 80—General Rules—Instant Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission amends a rule as follows:

12 CSR 40-80.050 Instant Ticket Validation Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1738). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 80—General Rules—Instant Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission amends a rule as follows:

12 CSR 40-80.090 Ticket Responsibility is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1738). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 80—General Rules—Instant Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission amends a rule as follows:

12 CSR 40-80.100 Disputes is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1738-1739). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission rescinds a rule as follows:

12 CSR 40-90.010 Instant Game Number 1 Theme is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1739). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission rescinds a rule as follows:

12 CSR 40-90.020 Rub-off Spots and Play Symbols for Instant Game Number 1 is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1739). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission rescinds a rule as follows:

12 CSR 40-90.030 Number and Value of Prizes is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1739). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission rescinds a rule as follows:

12 CSR 40-90.040 Symbol Captions for Instant Game Number 1 is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1739-1740). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission rescinds a rule as follows:

12 CSR 40-90.050 Retailer Validation Code for Instant Game Number 1 is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1740). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission rescinds a rule as follows:

12 CSR 40-90.060 Instant Game Number 2 Theme is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1740). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission rescinds a rule as follows:

12 CSR 40-90.070 Rub-off Spots and Play Symbols for Instant Game Number 2 is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1740). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission rescinds a rule as follows:

12 CSR 40-90.080 Number and Value of Prizes is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1740). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission rescinds a rule as follows:

12 CSR 40-90.090 Symbol Captions for Instant Game Number 2 **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1741). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission rescinds a rule as follows:

12 CSR 40-90.100 Retailer Validation Code for Instant Game Number 2 **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1741). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1998, the commission amends a rule as follows:

12 CSR 40-90.110 Designation of Specifics for Each Instant Game **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1741). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 90—Specific Instant Game Rule**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.230, RSMo 1994, the commission rescinds a rule as follows:

12 CSR 40-90.120 State Fair Spin Game **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1741-1742). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of
Missouri
Chapter 3—Funds of Retirement System**

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 1998, the board of trustees hereby amends a rule as follows:

16 CSR 10-3.010 Payment of Funds to the Retirement System **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1750-1751). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment will become effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of
Missouri
Chapter 6—The Nonteacher School Employee
Retirement System of Missouri**

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.610, RSMo Supp. 1998, the board of trustees hereby amends a rule as follows:

16 CSR 10-6.020 Source of Funds **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 1999 (24 MoReg 1751-1753). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment will become effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo Supp. 1998, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
Catholic Family Credit Union 222 West 85 th Street Kansas City, MO 64114	Staff, school, and family members of St. Louis Catholic Church Staff, school, and family members of St. Agnes Catholic Church

NOTICE TO SUBMIT COMMENTS: *Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, P.O. Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten business days after publication of this notice in the Missouri Register.*

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, P.O. Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: <http://www.state.mo.us/oa/purch/purch.htm>. Prospective bidders may receive specifications upon request.

B001079 Test Media 11/1/99;
B001080 Electrical Supplies-St. Louis Area 11/1/99;
B001081 Windshield: Autoglass & Repair 11/1/99;
B001077 Trout Feed 11/3/99;
B001079 Test Media 11/3/99;
B001082 Bakery Products-BCC 11/3/99;
B001083 Bakery Products-Marshall 11/3/99;
B002001 DP Services: Wage Order Data Entry 11/3/99;
B003046 Care Management Organization 11/3/99;
B001073 Truck Refrigerated 11/4/99;
B001084 Truck, Diesel, Vanbody, Trolley, Scale Cart 11/4/99;
B001091 Meats-November 11/4/99;
B003041 Medicaid Operations-Review & Investigation 11/4/99;
B001074 Truck, Flatbed/Platform//Stakebody 11/8/99;
B1Z00096 Equipment: Digital Plate Maker 11/8/99;
B003008 Accounting Investigative & Consulting Services 11/9/99;
B001093 Corrugated Cardboard Sheets 11/10/99;
B003057 Dental Consultant Services 11/10/99;
B001087 Food Service Equipment 11/12/99;
B002033 Facsimile Tranceivers-High Resolution 11/15/99;
B003045 HMO Quality of Services Review 11/18/99;
B003055 Videotape Production Services 11/24/99;
B003027 Health Care Review Services 11/30/99.

It is the intent of the state of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

“Best” Mortise Locksets, supplied by Best Access Systems

Seagull Software, supplied by Seagull J Walk and Winja

Joyce Murphy, CPPO,
Director of Purchasing

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—21 (1996), 22 (1997), 23 (1998) and 24 (1999). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule and N.A. indicates not applicable.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule.....				23 MoReg 2473
					24 MoReg 2535
1 CSR 10-15.010	Commissioner of Administration.....		24 MoReg 2577		
1 CSR 20-5.010	Personnel Advisory Board.....		24 MoReg 2578		
1 CSR 20-5.015	Personnel Advisory Board.....		24 MoReg 2578		
1 CSR 20-5.020	Personnel Advisory Board.....		24 MoReg 2579		
1 CSR 20-5.025	Personnel Advisory Board.....		24 MoReg 2580		
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.005	Market Development.....	24 MoReg 2269			
2 CSR 30-2.015	Animal Health.....	23 MoReg 1427			
2 CSR 70-13.010	Plant Industries.....		24 MoReg 1821		
2 CSR 70-13.015	Plant Industries.....		24 MoReg 1821		
2 CSR 70-13.020	Plant Industries.....		24 MoReg 1822		
2 CSR 70-13.025	Plant Industries.....		24 MoReg 1822		
2 CSR 70-13.030	Plant Industries.....		24 MoReg 1823		
2 CSR 70-13.035	Plant Industries.....		24 MoReg 1825		
2 CSR 70-13.040	Plant Industries.....		24 MoReg 1827		
2 CSR 90-30.050	Weights and Measures.....		24 MoReg 1195	24 MoReg 2505	
2 CSR 90-30.060	Weights and Measures.....		24 MoReg 1200R	24 MoReg 2508R	
2 CSR 90-30.070	Weights and Measures.....		24 MoReg 1200	24 MoReg 2508	
2 CSR 90-30.080	Weights and Measures.....		24 MoReg 1203	24 MoReg 2509	
2 CSR 90-30.090	Weights and Measures.....		24 MoReg 1203	24 MoReg 2509	
2 CSR 90-30.100	Weights and Measures.....		24 MoReg 1207	24 MoReg 2509	
2 CSR 100-8.010	Agricultural and Small Business Authority.....	24 MoReg 1787R	24 MoReg 1829R		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.111	Conservation Commission.....		24 MoReg 1475	24 MoReg 2156	
3 CSR 10-4.113	Conservation Commission.....		24 MoReg 1475	24 MoReg 2156	
3 CSR 10-4.115	Conservation Commission.....		24 MoReg 1479	24 MoReg 2156	
			24 MoReg 2581		
3 CSR 10-4.116	Conservation Commission.....		24 MoReg 1484	24 MoReg 2156	
			24 MoReg 2582		
3 CSR 10-4.125	Conservation Commission.....		24 MoReg 2583		
3 CSR 10-4.130	Conservation Commission.....		24 MoReg 1485	24 MoReg 2157	
3 CSR 10-4.136	Conservation Commission.....		24 MoReg 1485	24 MoReg 2157	
3 CSR 10-4.140	Conservation Commission.....		24 MoReg 1485	24 MoReg 2157	
3 CSR 10-4.145	Conservation Commission.....		24 MoReg 1486	24 MoReg 2157	
3 CSR 10-5.205	Conservation Commission.....		24 MoReg 1486	24 MoReg 2157	
			24 MoReg 2583		
3 CSR 10-5.210	Conservation Commission.....		24 MoReg 2586		
3 CSR 10-5.215	Conservation Commission.....		24 MoReg 1486	24 MoReg 2157	
			24 MoReg 2586		
3 CSR 10-5.220	Conservation Commission.....		24 MoReg 1487	24 MoReg 2158	
3 CSR 10-5.420	Conservation Commission.....		24 MoReg 1487	24 MoReg 2158	
3 CSR 10-6.405	Conservation Commission.....		24 MoReg 1487	24 MoReg 2158	
			24 MoReg 2586		
3 CSR 10-6.415	Conservation Commission.....		24 MoReg 1488	24 MoReg 2158	
3 CSR 10-6.505	Conservation Commission.....		24 MoReg 1488	24 MoReg 2158	
3 CSR 10-6.510	Conservation Commission.....		24 MoReg 1488	24 MoReg 2158	
3 CSR 10-6.525	Conservation Commission.....		24 MoReg 1489	24 MoReg 2159	
3 CSR 10-6.540	Conservation Commission.....		24 MoReg 1489	24 MoReg 2159	
3 CSR 10-6.550	Conservation Commission.....		24 MoReg 1490	24 MoReg 2159	
3 CSR 10-7.405	Conservation Commission.....		24 MoReg 2587		
3 CSR 10-7.440	Conservation Commission.....		N.A.	24 MoReg 2509	
3 CSR 10-7.450	Conservation Commission.....		24 MoReg 1490	24 MoReg 2159	
3 CSR 10-8.505	Conservation Commission.....		24 MoReg 2587		
3 CSR 10-8.515	Conservation Commission.....		24 MoReg 1490	24 MoReg 2159	
3 CSR 10-9.110	Conservation Commission.....		24 MoReg 1491	24 MoReg 2160	
3 CSR 10-9.230	Conservation Commission.....		24 MoReg 1494	24 MoReg 2160	
3 CSR 10-9.442	Conservation Commission.....		N.A.	24 MoReg 2510	
3 CSR 10-10.725	Conservation Commission.....		24 MoReg 1494	24 MoReg 2160	
3 CSR 10-10.768	Conservation Commission.....		24 MoReg 1495	24 MoReg 2160	
3 CSR 10-11.805	Conservation Commission.....		24 MoReg 1495	24 MoReg 2160	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 10-2.160	Missouri State Board of Accountancy		This Issue		
4 CSR 30-4.070	Architects, Professional Engineers and Land Surveyors		24 MoReg 1207	24 MoReg 2160	
4 CSR 40-1.021	Office of Athletics	21 MoReg 2680			
4 CSR 40-5.070	Office of Athletics	21 MoReg 1963			
4 CSR 70-2.040	State Board of Chiropractic Examiners		24 MoReg 2201		
4 CSR 70-2.050	State Board of Chiropractic Examiners		24 MoReg 2201		
4 CSR 70-2.070	State Board of Chiropractic Examiners		24 MoReg 2202		
4 CSR 70-2.090	State Board of Chiropractic Examiners		24 MoReg 1722	24 MoReg 2590	
4 CSR 90-13.020	State Board of Cosmetology		23 MoReg 1952		
4 CSR 90-13.040	State Board of Cosmetology		24 MoReg 1724		
4 CSR 90-13.060	State Board of Cosmetology		24 MoReg 1724		
4 CSR 100	Division of Credit Unions				This Issue
4 CSR 105-1.010	Credit Union Commission		24 MoReg 1829		
4 CSR 105-2.010	Credit Union Commission	24 MoReg 1787	24 MoReg 1833		
4 CSR 105-3.010	Credit Union Commission	24 MoReg 1788	24 MoReg 1839		
4 CSR 105-3.020	Credit Union Commission	24 MoReg 1789	24 MoReg 1839		
4 CSR 105-3.030	Credit Union Commission	24 MoReg 1790	24 MoReg 1839		
4 CSR 120-2.010	Board of Embalmers and Funeral Directors		24 MoReg 1028	24 MoReg 2161	
4 CSR 120-2.020	Board of Embalmers and Funeral Directors		24 MoReg 1029	24 MoReg 2161	
4 CSR 120-2.060	Board of Embalmers and Funeral Directors		24 MoReg 2128		
4 CSR 120-2.100	Board of Embalmers and Funeral Directors		24 MoReg 1030	24 MoReg 2161	
			24 MoReg 2129		
4 CSR 150-2.001	State Board of Registration for the Healing Arts		23 MoReg 2565		
4 CSR 150-2.065	State Board of Registration for the Healing Arts		23 MoReg 2566		
4 CSR 150-3.080	State Board of Registration for the Healing Arts		24 MoReg 1497	This Issue	
4 CSR 150-3.200	State Board of Registration for the Healing Arts		24 MoReg 1497	This Issue	
4 CSR 150-3.201	State Board of Registration for the Healing Arts		24 MoReg 1498	This Issue	
4 CSR 150-3.202	State Board of Registration for the Healing Arts		24 MoReg 1502	This Issue	
4 CSR 150-3.203	State Board of Registration for the Healing Arts		24 MoReg 1506		
4 CSR 150-4.100	State Board of Registration for the Healing Arts		24 MoReg 714		
4 CSR 150-4.105	State Board of Registration for the Healing Arts		24 MoReg 714		
4 CSR 150-4.110	State Board of Registration for the Healing Arts		24 MoReg 715		
4 CSR 150-4.115	State Board of Registration for the Healing Arts		24 MoReg 716		
4 CSR 150-4.120	State Board of Registration for the Healing Arts		24 MoReg 717		
4 CSR 150-4.125	State Board of Registration for the Healing Arts		24 MoReg 718		
4 CSR 150-4.130	State Board of Registration for the Healing Arts		24 MoReg 718		
4 CSR 150-7.135	State Board of Registration for the Healing Arts		24 MoReg 2131		
4 CSR 150-7.300	State Board of Registration for the Healing Arts		23 MoReg 2703		
4 CSR 150-7.310	State Board of Registration for the Healing Arts		23 MoReg 2711		
4 CSR 165-1.020	Board of Examiners for Hearing Instrument Specialists		24 MoReg 1335	24 MoReg 2238	
4 CSR 165-2.010	Board of Examiners for Hearing Instrument Specialists		24 MoReg 1840		
4 CSR 165-2.030	Board of Examiners for Hearing Instrument Specialists		24 MoReg 1840		
4 CSR 165-2.050	Board of Examiners for Hearing Instrument Specialists		24 MoReg 1840		
4 CSR 195-5.010	Workforce Development		24 MoReg 2314		
4 CSR 195-5.020	Workforce Development		24 MoReg 2315		
4 CSR 195-5.030	Workforce Development		24 MoReg 2318		
4 CSR 210-2.060	State Board of Optometry		22 MoReg 1443		
4 CSR 220-2.010	State Board of Pharmacy		24 MoReg 1841		
4 CSR 220-2.020	State Board of Pharmacy		24 MoReg 1841		
4 CSR 220-2.160	State Board of Pharmacy		24 MoReg 1842		
4 CSR 230-2.010	Board of Podiatric Medicine		24 MoReg 1649	24 MoReg 2590	
4 CSR 230-2.030	Board of Podiatric Medicine		24 MoReg 1337	24 MoReg 2238	
4 CSR 230-2.065	Board of Podiatric Medicine		24 MoReg 1650	24 MoReg 2590	
			24 MoReg 2202		
4 CSR 230-2.070	Board of Podiatric Medicine		24 MoReg 1337	24 MoReg 2238	
4 CSR 235-1.015	State Committee of Psychologists		24 MoReg 2132		
4 CSR 235-1.020	State Committee of Psychologists		24 MoReg 1337	24 MoReg 2238	
4 CSR 235-1.025	State Committee of Psychologists		24 MoReg 2132		
4 CSR 235-1.026	State Committee of Psychologists		24 MoReg 2133		
4 CSR 235-1.030	State Committee of Psychologists		24 MoReg 2134		
4 CSR 235-1.031	State Committee of Psychologists		24 MoReg 2134		
4 CSR 235-1.060	State Committee of Psychologists		24 MoReg 2134		
4 CSR 235-1.063	State Committee of Psychologists		24 MoReg 2135		
4 CSR 235-2.020	State Committee of Psychologists		24 MoReg 2135		
4 CSR 235-2.040	State Committee of Psychologists		24 MoReg 2135		
4 CSR 235-2.050	State Committee of Psychologists		24 MoReg 2137		
4 CSR 235-2.060	State Committee of Psychologists		24 MoReg 2138		
4 CSR 235-2.065	State Committee of Psychologists		24 MoReg 2139		
4 CSR 235-2.070	State Committee of Psychologists		24 MoReg 2140		
4 CSR 235-3.020	State Committee of Psychologists		24 MoReg 2140		
4 CSR 235-4.030	State Committee of Psychologists		24 MoReg 2141		
4 CSR 240-2.010	Public Service Commission		24 MoReg 2318R		
			24 MoReg 2318		
4 CSR 240-2.015	Public Service Commission		24 MoReg 2319		
4 CSR 240-2.020	Public Service Commission		24 MoReg 2142		
4 CSR 240-2.030	Public Service Commission		24 MoReg 2142		
4 CSR 240-2.040	Public Service Commission		24 MoReg 2320R		
			24 MoReg 2320		
4 CSR 240-2.050	Public Service Commission		24 MoReg 2320R		
			24 MoReg 2321		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-2.060	Public Service Commission		24 MoReg 2321R		
			24 MoReg 2321		
4 CSR 240-2.065	Public Service Commission		24 MoReg 2324R		
			24 MoReg 2324		
4 CSR 240-2.070	Public Service Commission		24 MoReg 2325R		
			24 MoReg 2325		
4 CSR 240-2.075	Public Service Commission		24 MoReg 2326R		
			24 MoReg 2326		
4 CSR 240-2.080	Public Service Commission		24 MoReg 2327R		
			24 MoReg 2327		
4 CSR 240-2.085	Public Service Commission		24 MoReg 2328		
4 CSR 240-2.090	Public Service Commission		24 MoReg 2329R		
			24 MoReg 2329		
4 CSR 240-2.100	Public Service Commission		24 MoReg 2330R		
			24 MoReg 2330		
4 CSR 240-2.110	Public Service Commission		24 MoReg 2330R		
			24 MoReg 2331		
4 CSR 240-2.115	Public Service Commission		24 MoReg 2331R		
			24 MoReg 2332		
4 CSR 240-2.116	Public Service Commission		24 MoReg 2332R		
			24 MoReg 2332		
4 CSR 240-2.120	Public Service Commission		24 MoReg 2333R		
			24 MoReg 2333		
4 CSR 240-2.125	Public Service Commission		24 MoReg 2333R		
			24 MoReg 2333		
4 CSR 240-2.130	Public Service Commission		24 MoReg 2334R		
			24 MoReg 2334		
4 CSR 240-2.140	Public Service Commission		24 MoReg 2336R		
			24 MoReg 2336		
4 CSR 240-2.150	Public Service Commission		24 MoReg 2336R		
			24 MoReg 2336		
4 CSR 240-2.160	Public Service Commission		24 MoReg 2337R		
			24 MoReg 2337		
4 CSR 240-2.170	Public Service Commission		24 MoReg 2338R		
4 CSR 240-2.180	Public Service Commission		24 MoReg 2338R		
			24 MoReg 2338		
4 CSR 240-2.200	Public Service Commission		24 MoReg 2339R		
			24 MoReg 2339		
4 CSR 240-18.010	Public Service Commission		24 MoReg 2340		
4 CSR 240-20.015	Public Service Commission		24 MoReg 1340		
4 CSR 240-20.017	Public Service Commission		24 MoReg 281	24 MoReg 1680	
4 CSR 240-32.110	Public Service Commission		24 MoReg 2341		
4 CSR 240-32.120	Public Service Commission		24 MoReg 2344		
4 CSR 240-33.010	Public Service Commission		24 MoReg 2347R		
			24 MoReg 2347		
4 CSR 240-33.020	Public Service Commission		24 MoReg 2347R		
			24 MoReg 2348		
4 CSR 240-33.040	Public Service Commission		24 MoReg 2351R		
			24 MoReg 2351		
4 CSR 240-33.050	Public Service Commission		24 MoReg 2355R		
			24 MoReg 2355		
4 CSR 240-33.060	Public Service Commission		24 MoReg 2359R		
			24 MoReg 2359		
4 CSR 240-33.070	Public Service Commission		24 MoReg 2362R		
			24 MoReg 2362		
4 CSR 240-33.080	Public Service Commission		24 MoReg 2367R		
			24 MoReg 2367		
4 CSR 240-33.090	Public Service Commission		24 MoReg 2371R		
			24 MoReg 2371		
4 CSR 240-33.100	Public Service Commission		24 MoReg 2371R		
			24 MoReg 2372		
4 CSR 240-33.110	Public Service Commission		24 MoReg 2372R		
			24 MoReg 2372		
4 CSR 240-33.120	Public Service Commission		24 MoReg 2373		
4 CSR 240-33.130	Public Service Commission		24 MoReg 2376		
4 CSR 240-33.140	Public Service Commission		24 MoReg 2376		
4 CSR 240-33.150	Public Service Commission	23 MoReg 291I			
		24 MoReg 1719	24 MoReg 1842	24 MoReg 2590	24 MoReg 1759
4 CSR 240-40.015	Public Service Commission		24 MoReg 1346		
4 CSR 240-40.016	Public Service Commission		24 MoReg 1352		
4 CSR 240-80.015	Public Service Commission		24 MoReg 1359		
4 CSR 245-4.020	Real Estate Appraisers		24 MoReg 1846		
4 CSR 245-4.050	Real Estate Appraisers		24 MoReg 1846		
4 CSR 245-5.010	Real Estate Appraisers		24 MoReg 1847		
4 CSR 245-5.020	Real Estate Appraisers		24 MoReg 1848		
4 CSR 245-8.010	Real Estate Appraisers		24 MoReg 1848		
4 CSR 245-8.040	Real Estate Appraisers		24 MoReg 1849		
4 CSR 263-3.140	Licensed Clinical Social Workers		24 MoReg 2143		
4 CSR 265-10.025	Division of Motor Carrier and Railroad Safety		24 MoReg 2203		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-345.020	Division of School Services		This Issue		
5 CSR 30-345.030	Division of School Services		This Issue		
5 CSR 50-270.050	Division of Instruction		24 MoReg 877		
5 CSR 50-321.010	Division of Instruction		24 MoReg 1365	24 MoReg 2511	
5 CSR 80-800.290	Urban and Teacher Education	24 MoReg 2123	24 MoReg 2143		
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 10-2.100	Commissioner of Higher Education		24 MoReg 1650		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-2.010	Highways and Transportation Commission		24 MoReg 1367R		
	.....		24 MoReg 1367		
7 CSR 10-6.010	Highways and Transportation Commission		24 MoReg 765		
	.....		24 MoReg 2377		
7 CSR 10-6.015	Highways and Transportation Commission		24 MoReg 766		
	.....		24 MoReg 2378		
7 CSR 10-6.040	Highways and Transportation Commission		24 MoReg 767		
	.....		24 MoReg 2379		
7 CSR 10-6.050	Highways and Transportation Commission		24 MoReg 768		
	.....		24 MoReg 2381		
7 CSR 10-6.060	Highways and Transportation Commission		24 MoReg 769		
	.....		24 MoReg 2381		
7 CSR 10-6.070	Highways and Transportation Commission		24 MoReg 770		
	.....		24 MoReg 2382		
7 CSR 10-6.085	Highways and Transportation Commission		24 MoReg 773		
	.....		24 MoReg 2385		
7 CSR 10-19.020	Highways and Transportation Commission		22 MoReg 1226		
7 CSR 10-19.030	Highways and Transportation Commission		22 MoReg 1229		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 40-2.010	State Board of Mediation		24 MoReg 1507	24 MoReg 2511	
8 CSR 40-2.020	State Board of Mediation		24 MoReg 1508	24 MoReg 2511	
8 CSR 40-2.030	State Board of Mediation		24 MoReg 1508	24 MoReg 2511	
8 CSR 40-2.040	State Board of Mediation		24 MoReg 1509	24 MoReg 2511	
8 CSR 40-2.050	State Board of Mediation		24 MoReg 1509	24 MoReg 2511	
8 CSR 40-2.055	State Board of Mediation		24 MoReg 1509	24 MoReg 2512	
8 CSR 40-2.070	State Board of Mediation		24 MoReg 1510	24 MoReg 2512	
8 CSR 40-2.100	State Board of Mediation		24 MoReg 1510	24 MoReg 2512	
8 CSR 40-2.110	State Board of Mediation		24 MoReg 1510	24 MoReg 2512	
8 CSR 40-2.120	State Board of Mediation		24 MoReg 1511	24 MoReg 2512	
8 CSR 40-2.130	State Board of Mediation		24 MoReg 1511	24 MoReg 2512	
8 CSR 40-2.150	State Board of Mediation		24 MoReg 1511	24 MoReg 2513	
8 CSR 40-2.160	State Board of Mediation		24 MoReg 1512	24 MoReg 2513	
8 CSR 40-2.170	State Board of Mediation		24 MoReg 1512	24 MoReg 2513	
8 CSR 40-2.180	State Board of Mediation		24 MoReg 1513	24 MoReg 2513	
8 CSR 50-6.010	Workers' Compensation		24 MoReg 1049	24 MoReg 2161	
8 CSR 60-3.040	Commission on Human Rights	24 MoReg 2565	24 MoReg 2588		
DEPARTMENT OF MENTAL HEALTH					
9 CSR 25-4.040	Fiscal Management		24 MoReg 2386		
9 CSR 30-4.030	Certification Standards	24 MoReg 2191	24 MoReg 2215		
9 CSR 30-4.034	Certification Standards	24 MoReg 2193	24 MoReg 2216		
9 CSR 30-4.035	Certification Standards	24 MoReg 2194	24 MoReg 2217		
9 CSR 30-4.039	Certification Standards	24 MoReg 2195	24 MoReg 2219		
9 CSR 30-4.042	Certification Standards	24 MoReg 2197	24 MoReg 2220		
9 CSR 30-4.043	Certification Standards	24 MoReg 2199	24 MoReg 2222		
9 CSR 45-5.040	Mental Retardation and Developmental Disabilities		24 MoReg 2389		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR	.....			24 MoReg 1693	
10 CSR 10-2.010	Air Conservation Commission		24 MoReg 420		
10 CSR 10-2.060	Air Conservation Commission		24 MoReg 2588R		
10 CSR 10-3.080	Air Conservation Commission		24 MoReg 2588R		
10 CSR 10-4.060	Air Conservation Commission		24 MoReg 2589R		
10 CSR 10-5.070	Air Conservation Commission		24 MoReg 2224		
10 CSR 10-5.090	Air Conservation Commission		24 MoReg 2589R		
10 CSR 10-5.295	Air Conservation Commission		24 MoReg 2001		
10 CSR 10-5.380	Air Conservation Commission		24 MoReg 1513	This Issue	
10 CSR 10-5.446	Air Conservation Commission		24 MoReg 19		
10 CSR 10-5.500	Air Conservation Commission		24 MoReg 2007		
10 CSR 10-5.510	Air Conservation Commission		24 MoReg 2012		
10 CSR 10-5.520	Air Conservation Commission		24 MoReg 2020		
10 CSR 10-5.530	Air Conservation Commission		24 MoReg 2025		
10 CSR 10-5.540	Air Conservation Commission		24 MoReg 2034		
10 CSR 10-5.550	Air Conservation Commission		24 MoReg 2041		
10 CSR 10-6.020	Air Conservation Commission		This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
10 CSR 10-6.065	Air Conservation Commission.....		This Issue		
10 CSR 10-6.060	Air Conservation Commission.....		24 MoReg 1208	24 MoReg 2513	
10 CSR 10-6.070	Air Conservation Commission.....		24 MoReg 957	24 MoReg 2239	
			24 MoReg 2226		
10 CSR 10-6.075	Air Conservation Commission.....		24 MoReg 958	24 MoReg 2240	
			24 MoReg 2226		
10 CSR 10-6.080	Air Conservation Commission.....		24 MoReg 959	24 MoReg 2240	
			24 MoReg 2230		
10 CSR 10-6.110	Air Conservation Commission.....		24 MoReg 1520	This Issue	
10 CSR 10-6.170	Air Conservation Commission.....		22 MoReg 2129		
10 CSR 10-6.220	Air Conservation Commission.....		24 MoReg 1054	24 MoReg 2516	
10 CSR 10-6.230	Air Conservation Commission.....		24 MoReg 1215R	24 MoReg 2520R	
			24 MoReg 1215	24 MoReg 2520	
10 CSR 20-3.010	Clean Water Commission.....		24 MoReg 1225R		
			24 MoReg 1225		
10 CSR 20-4.023	Clean Water Commission.....		24 MoReg 1849		
10 CSR 20-4.030	Clean Water Commission.....		24 MoReg 1849		
10 CSR 20-4.041	Clean Water Commission.....		24 MoReg 1850		
10 CSR 20-4.043	Clean Water Commission.....		24 MoReg 1852		
10 CSR 20-4.061	Clean Water Commission.....		24 MoReg 1724		
10 CSR 20-7.015	Clean Water Commission.....		24 MoReg 879	24 MoReg 2521	
10 CSR 20-10.012	Clean Water Commission.....		24 MoReg 1056		
10 CSR 20-10.022	Clean Water Commission.....		24 MoReg 1056		
10 CSR 20-10.068	Clean Water Commission.....		24 MoReg 1057		
10 CSR 20-10.071	Clean Water Commission.....		24 MoReg 1058		
10 CSR 20-11.092	Clean Water Commission.....		24 MoReg 1058		
10 CSR 20-12.010	Clean Water Commission.....		24 MoReg 1058R		
10 CSR 20-12.020	Clean Water Commission.....		24 MoReg 1059R		
10 CSR 20-12.025	Clean Water Commission.....		24 MoReg 1059R		
10 CSR 20-12.030	Clean Water Commission.....		24 MoReg 1059R		
10 CSR 20-12.040	Clean Water Commission.....		24 MoReg 1060R		
10 CSR 20-12.045	Clean Water Commission.....		24 MoReg 1060R		
10 CSR 20-12.050	Clean Water Commission.....		24 MoReg 1061R		
10 CSR 20-12.060	Clean Water Commission.....		24 MoReg 1061R		
10 CSR 20-12.061	Clean Water Commission.....		24 MoReg 1061R		
10 CSR 20-12.062	Clean Water Commission.....		24 MoReg 1062R		
10 CSR 20-12.070	Clean Water Commission.....		24 MoReg 1062R		
10 CSR 20-12.080	Clean Water Commission.....		24 MoReg 1062R		
10 CSR 20-13.080	Clean Water Commission.....		24 MoReg 1239R		
			24 MoReg 1239		
10 CSR 25-12.010	Hazardous Waste Management		24 MoReg 1383	24 MoReg 2593	
10 CSR 25-14.010	Hazardous Waste Management		24 MoReg 1248R	24 MoReg 2594R	
			24 MoReg 1248	24 MoReg 2594	
10 CSR 45-1.010	Metallic Minerals		24 MoReg 2049		
10 CSR 45-2.010	Metallic Minerals		24 MoReg 2049		
10 CSR 45-3.010	Metallic Minerals		24 MoReg 1258R		
			24 MoReg 1258		
10 CSR 45-6.010	Metallic Minerals		24 MoReg 2049		
10 CSR 45-6.020	Metallic Minerals		24 MoReg 2049		
10 CSR 45-6.030	Metallic Minerals		24 MoReg 2050		
10 CSR 60-3.010	Public Drinking Water Program	24 MoReg 2365	24 MoReg 1852		
10 CSR 60-3.020	Public Drinking Water Program	24 MoReg 2567	24 MoReg 1854		
10 CSR 60-3.030	Public Drinking Water Program	24 MoReg 2568	24 MoReg 1863		
10 CSR 60-5.010	Public Drinking Water Program		24 MoReg 1870		
10 CSR 60-6.010	Public Drinking Water Program		24 MoReg 1878		
10 CSR 60-6.020	Public Drinking Water Program		24 MoReg 1880		
10 CSR 60-6.030	Public Drinking Water Program		24 MoReg 1886		
10 CSR 60-6.070	Public Drinking Water Program		24 MoReg 1887		
10 CSR 60-8.030	Public Drinking Water Program		24 MoReg 1899		
10 CSR 70-5.020	Soil and Water Districts Commission	24 MoReg 1473	24 MoReg 960	24 MoReg 2162	
10 CSR 70-5.060	Soil and Water Districts Commission				23 MoReg 2267S
10 CSR 80-2.040	Solid Waste Management		24 MoReg 1267R	24 MoReg 2595R	
			24 MoReg 1267	24 MoReg 2595	
10 CSR 100-1.010	Petroleum Storage Tank Insurance Fund.....		24 MoReg 1063	24 MoReg 2523	
10 CSR 100-2.010	Petroleum Storage Tank Insurance Fund.....		24 MoReg 1065	24 MoReg 2524	
10 CSR 100-3.010	Petroleum Storage Tank Insurance Fund.....		24 MoReg 1066	24 MoReg 2524	
10 CSR 100-4.010	Petroleum Storage Tank Insurance Fund.....		24 MoReg 1069	24 MoReg 2524	
10 CSR 100-4.020	Petroleum Storage Tank Insurance Fund.....		24 MoReg 1075	24 MoReg 2525	
10 CSR 100-5.010	Petroleum Storage Tank Insurance Fund.....		24 MoReg 1081	24 MoReg 2526	
10 CSR 100-5.020	Petroleum Storage Tank Insurance Fund.....		24 MoReg 1093	24 MoReg 2529	
10 CSR 100-5.030	Petroleum Storage Tank Insurance Fund.....		24 MoReg 1096	24 MoReg 2529	
10 CSR 140-2	Division of Energy				24 MoReg 2243

DEPARTMENT OF PUBLIC SAFETY

11 CSR 45-1.090	Missouri Gaming Commission	24 MoReg 1652		
11 CSR 45-5.180	Missouri Gaming Commission	24 MoReg 1534	This Issue	
11 CSR 45-7.050	Missouri Gaming Commission	24 MoReg 895	24 MoReg 2162	
11 CSR 45-9.030	Missouri Gaming Commission	24 MoReg 1652		
11 CSR 45-13.050	Missouri Gaming Commission	24 MoReg 897	24 MoReg 2162	
11 CSR 45-13.055	Missouri Gaming Commission	24 MoReg 2124	24 MoReg 2144	
11 CSR 45-17.020	Missouri Gaming Commission	24 MoReg 1098	24 MoReg 2530	
11 CSR 45-17.040	Missouri Gaming Commission	24 MoReg 1100	24 MoReg 2530	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
11 CSR 45-30.370	Missouri Gaming Commission		24 MoReg 1534		
11 CSR 45-30.525	Missouri Gaming Commission		24 MoReg 1534	..... This Issue	
11 CSR 45-30.580	Missouri Gaming Commission		24 MoReg 780	..... 24 MoReg 2162	
11 CSR 45-30.585	Missouri Gaming Commission		24 MoReg 784	..... 24 MoReg 2163	
11 CSR 45-30.590	Missouri Gaming Commission		24 MoReg 784	..... 24 MoReg 2164	
11 CSR 45-30.595	Missouri Gaming Commission		24 MoReg 784	..... 24 MoReg 2164	
11 CSR 45-30.600	Missouri Gaming Commission		24 MoReg 1535	..... This Issue	
11 CSR 70-2.190	Division of Liquor Control.....		24 MoReg 2390		
11 CSR 75-2.010	Peace Officer Standards and Training.....		24 MoReg 1731		
11 CSR 75-10.070	Peace Officer Standards and Training.....		24 MoReg 1915		
11 CSR 75-12.010	Peace Officer Standards and Training.....		24 MoReg 1733		
11 CSR 75-12.020	Peace Officer Standards and Training.....		24 MoReg 1733		
11 CSR 75-12.030	Peace Officer Standards and Training.....		24 MoReg 1734		
DEPARTMENT OF REVENUE					
12 CSR	Construction Transient Employers				24 MoReg 2087
12 CSR 10-2.240	Director of Revenue		This Issue		
12 CSR 10-111.013	Director of Revenue		This Issue		
12 CSR 10-111.016	Director of Revenue		This Issue		
12 CSR 10-3.003	Director of Revenue		24 MoReg 2051R		
12 CSR 10-3.056	Director of Revenue		24 MoReg 2051R		
12 CSR 10-3.106	Director of Revenue		24 MoReg 2051R		
12 CSR 10-3.108	Director of Revenue		24 MoReg 2051R		
12 CSR 10-3.316	Director of Revenue		24 MoReg 2052R		
12 CSR 10-3.318	Director of Revenue		24 MoReg 2052R		
12 CSR 10-3.320	Director of Revenue		24 MoReg 2052R		
12 CSR 10-3.324	Director of Revenue		24 MoReg 2052R		
12 CSR 10-3.326	Director of Revenue		24 MoReg 2053R		
12 CSR 10-3.327	Director of Revenue		24 MoReg 2053R		
12 CSR 10-3.848	Director of Revenue		24 MoReg 2053R		
12 CSR 10-4.295	Director of Revenue		24 MoReg 2053R		
12 CSR 10-23.265	Director of Revenue		24 MoReg 1915		
12 CSR 10-23.446	Director of Revenue	24 MoReg 2270	24 MoReg 2391		
12 CSR 10-24.430	Director of Revenue		24 MoReg 2391		
12 CSR 10-42.030	Director of Revenue		24 MoReg 1735R		
	.....		24 MoReg 1735		
12 CSR 10-43.020	Director of Revenue		24 MoReg 2230		
12 CSR 10-43.030	Director of Revenue		24 MoReg 2230		
12 CSR 10-111.010	Director of Revenue		24 MoReg 2392		
12 CSR 30-3.065	State Tax Commission		24 MoReg 1103	..... 24 MoReg 2164	
12 CSR 30-3.085	State Tax Commission		24 MoReg 2054		
12 CSR 40-20.040	State Lottery		24 MoReg 1736	..... This Issue	
12 CSR 40-80.010	State Lottery		24 MoReg 1736	..... This Issue	
12 CSR 40-80.020	State Lottery		24 MoReg 1737	..... This Issue	
12 CSR 40-80.030	State Lottery		24 MoReg 1737	..... This Issue	
12 CSR 40-80.050	State Lottery		24 MoReg 1738	..... This Issue	
12 CSR 40-80.090	State Lottery		24 MoReg 1738	..... This Issue	
12 CSR 40-80.100	State Lottery		24 MoReg 1738	..... This Issue	
12 CSR 40-90.010	State Lottery		24 MoReg 1739R	..... This IssueR	
12 CSR 40-90.020	State Lottery		24 MoReg 1739R	..... This IssueR	
12 CSR 40-90.030	State Lottery		24 MoReg 1739R	..... This IssueR	
12 CSR 40-90.040	State Lottery		24 MoReg 1739R	..... This IssueR	
12 CSR 40-90.050	State Lottery		24 MoReg 1740R	..... This IssueR	
12 CSR 40-90.060	State Lottery		24 MoReg 1740R	..... This IssueR	
12 CSR 40-90.070	State Lottery		24 MoReg 1740R	..... This IssueR	
12 CSR 40-90.080	State Lottery		24 MoReg 1740R	..... This IssueR	
12 CSR 40-90.090	State Lottery		24 MoReg 1741R	..... This IssueR	
12 CSR 40-90.100	State Lottery		24 MoReg 1741R	..... This IssueR	
12 CSR 40-90.110	State Lottery		24 MoReg 1741	..... This Issue	
12 CSR 40-90.120	State Lottery		24 MoReg 1741R	..... This IssueR	
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 15-14.012	Division of Aging	24 MoReg 1473	24 MoReg 2054		
13 CSR 15-14.022	Division of Aging	24 MoReg 1474	24 MoReg 2054		
13 CSR 40-2.300	Division of Family Services.....	23 MoReg 2133T			
13 CSR 40-2.305	Division of Family Services.....	23 MoReg 2133T			
13 CSR 40-2.310	Division of Family Services.....	23 MoReg 2133T			
13 CSR 40-2.315	Division of Family Services.....	23 MoReg 2133T			
13 CSR 40-2.320	Division of Family Services.....	23 MoReg 2134T			
13 CSR 40-2.325	Division of Family Services.....	23 MoReg 2134T			
13 CSR 40-2.330	Division of Family Services.....	23 MoReg 2134T			
13 CSR 40-2.335	Division of Family Services.....	23 MoReg 2134T			
13 CSR 40-2.340	Division of Family Services.....	23 MoReg 2134T			
13 CSR 40-2.345	Division of Family Services.....	23 MoReg 2134T			
13 CSR 40-2.350	Division of Family Services.....	23 MoReg 2134T			
13 CSR 40-2.355	Division of Family Services.....	23 MoReg 2135T			
13 CSR 40-2.360	Division of Family Services.....	23 MoReg 2135T			
13 CSR 40-2.365	Division of Family Services.....	23 MoReg 2135T			
13 CSR 40-2.370	Division of Family Services.....	23 MoReg 2135T			
13 CSR 40-19.020	Division of Family Services.....	24 MoReg 2270	24 MoReg 2394		
13 CSR 40-80.010	Division of Family Services.....		24 MoReg 2395		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
13 CSR 70-3.020	Medical Services		23 MoReg 1191		
			24 MoReg 1742		
13 CSR 70-3.030	Medical Services		24 MoReg 1743		
13 CSR 70-3.130	Medical Services		24 MoReg 1747		
13 CSR 70-4.080	Medical Services		24 MoReg 2396		
13 CSR 70-4.080(5)	Medical Services		24 MoReg 2398		
13 CSR 70-4.090	Medical Services	24 MoReg 2569	24 MoReg 2399		
13 CSR 70-10.015(13)	Medical Services	24 MoReg 2572	24 MoReg 2401		
13 CSR 70-10.030	Medical Services	24 MoReg 711	24 MoReg 200		
		24 MoReg 2573	24 MoReg 1669	24 MoReg 2595	
13 CSR 70-10.040	Medical Services		24 MoReg 1672		
13 CSR 70-10.050	Medical Services	24 MoReg 2574	24 MoReg 1673	24 MoReg 2595	
13 CSR 70-10.080	Medical Services	24 MoReg 2574	24 MoReg 2404		
13 CSR 70-10.110	Medical Services	24 MoReg 2575	24 MoReg 2406		
13 CSR 70-15.010	Medical Services				24 MoReg 1972
			24 MoReg 1535	24 MoReg 2596	
		24 MoReg 1720	24 MoReg 1538	24 MoReg 2596	
			24 MoReg 1916		
			24 MoReg 2408		
13 CSR 70-15.040	Medical Services		24 MoReg 1540	24 MoReg 2596	
			24 MoReg 1749		
13 CSR 70-15.110	Medical Services	24 MoReg 1026	24 MoReg 2411		
13 CSR 70-20.031	Medical Services		24 MoReg 202		
			24 MoReg 1675		
13 CSR 70-20.032	Medical Services		24 MoReg 202		
13 CSR 70-94.020	Medical Services		24 MoReg 1543	24 MoReg 2596	

ELECTED OFFICIALS

15 CSR 30-4.010	Secretary of State	24 MoReg 2413
15 CSR 30-15.010	Secretary of State	24 MoReg 2417
15 CSR 30-15.020	Secretary of State	24 MoReg 2417
15 CSR 30-45.030	Secretary of State	24 MoReg 2147R
		24 MoReg 2147
15 CSR 50-4.010	Treasurer	24 MoReg 2417
15 CSR 50-4.020	Treasurer	24 MoReg 2418
15 CSR 60-11.010	Attorney General	24 MoReg 1103
15 CSR 60-11.020	Attorney General	24 MoReg 1104

RETIREMENT SYSTEMS

16 CSR 10-3.010	Public School Retirement System	24 MoReg 1750	.....This Issue
16 CSR 10-4.010	Public School Retirement System	24 MoReg 2231	
16 CSR 10-5.010	Public School Retirement System	24 MoReg 2232	
16 CSR 10-5.020	Public School Retirement System	24 MoReg 2233	
16 CSR 10-5.030	Public School Retirement System	24 MoReg 2233	
16 CSR 10-5.055	Public School Retirement System	24 MoReg 2234	
16 CSR 10-6.040	Public School Retirement System	24 MoReg 2235	
16 CSR 10-6.020	Public School Retirement System	24 MoReg 1751	.....This Issue
16 CSR 10-6.060	Public School Retirement System	24 MoReg 2235	
16 CSR 10-6.090	Public School Retirement System	24 MoReg 2236	
16 CSR 10-6.100	Public School Retirement System	24 MoReg 2236	
16 CSR 50-2.020	The County Employees' Retirement Fund	24 MoReg 1675	.....24 MoReg 2530

DEPARTMENT OF HEALTH

19 CSR 20-1.010	Health and Communicable Disease Prevention	24 MoReg 1104R	.....24 MoReg 2241R
19 CSR 20-1.020	Health and Communicable Disease Prevention	24 MoReg 1104R	.....24 MoReg 2241R
19 CSR 20-1.025	Health and Communicable Disease Prevention	24 MoReg 1105	.....24 MoReg 2241
19 CSR 20-8.010	Health and Communicable Disease Prevention	24 MoReg 2275R	.....24 MoReg 2423R
19 CSR 20-8.020	Health and Communicable Disease Prevention	24 MoReg 2275R	.....24 MoReg 2423R
19 CSR 20-20.075	Health and Communicable Disease Prevention	24 MoReg 2055	
19 CSR 20-28.060	Health and Communicable Disease Prevention	24 MoReg 1543	.....24 MoReg 2530
19 CSR 30-1.002	Health Standards and Licensure	24 MoReg 572	
19 CSR 30-1.004	Health Standards and Licensure	24 MoReg 580	
19 CSR 30-1.006	Health Standards and Licensure	24 MoReg 580	
19 CSR 30-1.008	Health Standards and Licensure	24 MoReg 581	
19 CSR 30-1.010	Health Standards and Licensure	24 MoReg 582R	
19 CSR 30-1.011	Health Standards and Licensure	24 MoReg 582	
19 CSR 30-1.013	Health Standards and Licensure	24 MoReg 573	
19 CSR 30-1.015	Health Standards and Licensure	24 MoReg 588	
19 CSR 30-1.017	Health Standards and Licensure	24 MoReg 591	
19 CSR 30-1.019	Health Standards and Licensure	24 MoReg 598	
19 CSR 30-1.020	Health Standards and Licensure	24 MoReg 598R	
19 CSR 30-1.023	Health Standards and Licensure	24 MoReg 598	
19 CSR 30-1.025	Health Standards and Licensure	24 MoReg 599R	
19 CSR 30-1.026	Health Standards and Licensure	24 MoReg 599	
19 CSR 30-1.027	Health Standards and Licensure	24 MoReg 600	
19 CSR 30-1.030	Health Standards and Licensure	24 MoReg 600R	
19 CSR 30-1.031	Health Standards and Licensure	24 MoReg 601	
19 CSR 30-1.032	Health Standards and Licensure	24 MoReg 601	
19 CSR 30-1.033	Health Standards and Licensure	24 MoReg 605R	
19 CSR 30-1.034	Health Standards and Licensure	24 MoReg 605	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
19 CSR 30-1.035	Health Standards and Licensure		24 MoReg 613R		
19 CSR 30-1.036	Health Standards and Licensure		24 MoReg 613R		
19 CSR 30-1.041	Health Standards and Licensure		24 MoReg 613		
19 CSR 30-1.042	Health Standards and Licensure		24 MoReg 619		
19 CSR 30-1.044	Health Standards and Licensure		24 MoReg 625		
19 CSR 30-1.046	Health Standards and Licensure		24 MoReg 628		
19 CSR 30-1.048	Health Standards and Licensure		24 MoReg 632		
19 CSR 30-1.050	Health Standards and Licensure		24 MoReg 639		
19 CSR 30-1.052	Health Standards and Licensure		24 MoReg 642		
19 CSR 30-1.060	Health Standards and Licensure		24 MoReg 645		
19 CSR 30-1.062	Health Standards and Licensure		24 MoReg 645		
19 CSR 30-1.064	Health Standards and Licensure		24 MoReg 645		
19 CSR 30-1.066	Health Standards and Licensure		24 MoReg 649		
19 CSR 30-1.068	Health Standards and Licensure		24 MoReg 654		
19 CSR 30-1.070	Health Standards and Licensure		24 MoReg 657		
19 CSR 30-1.072	Health Standards and Licensure		24 MoReg 662		
19 CSR 30-1.074	Health Standards and Licensure		24 MoReg 662		
19 CSR 30-1.076	Health Standards and Licensure		24 MoReg 662		
19 CSR 30-1.078	Health Standards and Licensure		24 MoReg 666		
19 CSR 30-40.303	Health Standards and Licensure	24 MoReg 2124R	24 MoReg 2149R		
	.....	24 MoReg 2125	24 MoReg 2149		
19 CSR 30-70.110	Health Standards and Licensure	24 MoReg 2276	24 MoReg 2423		
19 CSR 30-70.120	Health Standards and Licensure	24 MoReg 2276	24 MoReg 2424		
19 CSR 30-70.130	Health Standards and Licensure	24 MoReg 2277	24 MoReg 2427		
19 CSR 30-70.140	Health Standards and Licensure	24 MoReg 2279	24 MoReg 2431		
19 CSR 30-70.150	Health Standards and Licensure	24 MoReg 2281	24 MoReg 2435		
19 CSR 30-70.160	Health Standards and Licensure	24 MoReg 2283	24 MoReg 2439		
19 CSR 30-70.170	Health Standards and Licensure	24 MoReg 2285	24 MoReg 2443		
19 CSR 30-70.180	Health Standards and Licensure	24 MoReg 2286	24 MoReg 2447		
19 CSR 30-70.190	Health Standards and Licensure	24 MoReg 2288	24 MoReg 2453		
19 CSR 30-70.195	Health Standards and Licensure	24 MoReg 2289	24 MoReg 2458		
19 CSR 30-70.200	Health Standards and Licensure	24 MoReg 2290	24 MoReg 2461		
19 CSR 30-70.310	Health Standards and Licensure	24 MoReg 2291	24 MoReg 2465		
19 CSR 30-70.320	Health Standards and Licensure	24 MoReg 2292	24 MoReg 2465		
19 CSR 30-70.330	Health Standards and Licensure	24 MoReg 2295	24 MoReg 2471		
19 CSR 30-70.340	Health Standards and Licensure	24 MoReg 2296	24 MoReg 2471		
19 CSR 30-70.350	Health Standards and Licensure	24 MoReg 2297	24 MoReg 2472		
19 CSR 30-70.360	Health Standards and Licensure	24 MoReg 2297	24 MoReg 2472		
19 CSR 30-70.370	Health Standards and Licensure	24 MoReg 2298	24 MoReg 2473		
19 CSR 30-70.380	Health Standards and Licensure	24 MoReg 2398	24 MoReg 2473		
19 CSR 30-70.390	Health Standards and Licensure	24 MoReg 2300	24 MoReg 2477		
19 CSR 30-70.400	Health Standards and Licensure	24 MoReg 2301	24 MoReg 2477		
19 CSR 30-70.510	Health Standards and Licensure	24 MoReg 2301	24 MoReg 2478		
19 CSR 30-70.520	Health Standards and Licensure	24 MoReg 2302	24 MoReg 2478		
19 CSR 30-70.600	Health Standards and Licensure	24 MoReg 2302	24 MoReg 2482		
19 CSR 30-70.610	Health Standards and Licensure	24 MoReg 2304	24 MoReg 2483		
19 CSR 30-70.620	Health Standards and Licensure	24 MoReg 2305	24 MoReg 2484		
19 CSR 30-70.630	Health Standards and Licensure	24 MoReg 2307	24 MoReg 2493		
19 CSR 30-70.640	Health Standards and Licensure	24 MoReg 2312	24 MoReg 2503		
19 CSR 40-5.050	Maternal, Child and Family Health		24 MoReg 1295R	24 MoReg 2242R	
	.....		24 MoReg 1296	24 MoReg 2242	
19 CSR 40-13.010	Maternal, Child and Family Health		24 MoReg 515		
19 CSR 40-13.020	Maternal, Child and Family Health		24 MoReg 526		
19 CSR 40-13.030	Maternal, Child and Family Health		24 MoReg 527		
19 CSR 60-50	Missouri Health Facilities Review				24 MoReg 2243
19 CSR 60-50.400	Missouri Health Facilities Review	24 MoReg 1790R	24 MoReg 1918R		
	.....	24 MoReg 1791	24 MoReg 1918		
19 CSR 60-50.410	Missouri Health Facilities Review	24 MoReg 1799R	24 MoReg 1926R		
	.....	24 MoReg 1799	24 MoReg 1926		
19 CSR 60-50.420	Missouri Health Facilities Review				24 MoReg 246
	.....	24 MoReg 1805R	24 MoReg 1932R		24 MoReg 420
	.....	24 MoReg 1805	24 MoReg 1932		24 MoReg 914
	.....				24 MoReg 1449
19 CSR 60-50.430	Missouri Health Facilities Review	24 MoReg 1806R	24 MoReg 1933R		
	.....	24 MoReg 1806	24 MoReg 1933		
19 CSR 60-50.450	Missouri Health Facilities Review	24 MoReg 1818R	24 MoReg 1947R		
	.....	24 MoReg 1818	24 MoReg 1947		
DEPARTMENT OF INSURANCE					
20 CSR	Medical Malpractice				23 MoReg 514
	.....				24 MoReg 682
20 CSR 10-1.020	General Administration		24 MoReg 1545	24 MoReg 2530	
20 CSR 200-5.010	Financial Examination		24 MoReg 1550	24 MoReg 2531	
20 CSR 200-6.100	Financial Examination		24 MoReg 1553	24 MoReg 2531	
20 CSR 200-7.200	Financial Examination		24 MoReg 1555	24 MoReg 2531	
20 CSR 200-8.100	Financial Examination		24 MoReg 1559	24 MoReg 2531	
20 CSR 200-9.600	Financial Examination		24 MoReg 1562	24 MoReg 2531	
20 CSR 200-10.500	Financial Examination		24 MoReg 1570	24 MoReg 2531	
20 CSR 200-14.400	Financial Examination		24 MoReg 1572	24 MoReg 2532	
20 CSR 400-1.150	Life, Annuities and Health		24 MoReg 1574	24 MoReg 2532	
20 CSR 400-2.130	Life, Annuities and Health		24 MoReg 1576	24 MoReg 2532	
20 CSR 500-1.100	Property and Casualty		24 MoReg 1585	24 MoReg 2532	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 500-4.100	Property and Casualty.....		24 MoReg 1950		
20 CSR 500-4.300	Property and Casualty.....		24 MoReg 1585	24 MoReg 2532	
20 CSR 500-6.300	Property and Casualty.....		23 MoReg 1748		23 MoReg 514
20 CSR 500-7.200	Property and Casualty.....		23 MoReg 3071	24 MoReg 2533	
			24 MoReg 1587		
20 CSR 700-1.010	Licensing		24 MoReg 1296	24 MoReg 2596	
20 CSR 700-1.100	Licensing		24 MoReg 1297	24 MoReg 2597	
20 CSR 700-1.110	Licensing		23 MoReg 3073		
			24 MoReg 1589	24 MoReg 2533	
20 CSR 700-1.130	Licensing		24 MoReg 1297	24 MoReg 2597	
20 CSR 700-3.100	Licensing		23 MoReg 3076		
			24 MoReg 1592	24 MoReg 2533	
20 CSR 700-4.100	Licensing		23 MoReg 3079		
			24 MoReg 1595	24 MoReg 2533	
20 CSR 700-6.300	Licensing		23 MoReg 3082		
			24 MoReg 1598	24 MoReg 2533	
20 CSR 700-7.100	Licensing		23 MoReg 3084		
			24 MoReg 1600	24 MoReg 2533	
20 CSR 800-2.010	General Counsel		23 MoReg 3090		
			24 MoReg 1606	24 MoReg 2534	

Emergency Rules in Effect as of November 1, 1999

Expires

Department of Agriculture

Market Development

2 CSR 10-5.005 Price Reporting Requirements for Livestock Purchases by Packers March 2, 2000

Missouri Agricultural and Small Business Development Authority

2 CSR 100-8.010 Description of Operation, Definitions, Applicant Requirements, Procedures
for Grant Approval, Funding of Grants, and Amending the Rules for the
Missouri Value-Added Grant Program February 24, 2000

Department of Economic Development

Credit Union Commission

4 CSR 105-2.010 Rules of Procedure January 7, 2000

4 CSR 105-3.010 Definitions January 7, 2000

4 CSR 105-3.020 Criteria for Additional Membership Groups January 7, 2000

4 CSR 105-3.030 Economic Advisability January 7, 2000

Public Service Commission

4 CSR 240-33.150 Verification of Orders for Changing Telecommunications Service Provider December 26, 1999

Department of Elementary and Secondary Education

Urban and Teacher Education

5 CSR 80-800.290 Application for Substitute Certificate of License to Teach January 26, 2000

Department of Labor and Industrial Relations

Missouri Commission on Human Rights

8 CSR 60-3.040 Employment Practices Related to Men and Women March 24, 2000

Department of Mental Health

Certification Standards

9 CSR 30-4.030 Certification Standards Definitions February 17, 2000

9 CSR 30-4.034 Personnel and Staff Development February 17, 2000

9 CSR 30-4.035 Client Records of a Community Psychiatric Rehabilitation Program February 17, 2000

9 CSR 30-4.039 Service Provision February 17, 2000

9 CSR 30-4.042 Admission Criteria February 17, 2000

9 CSR 30-4.043 Treatment Provided by a Community Psychiatric Rehabilitation Program February 17, 2000

Department of Natural Resources

Public Drinking Water Program

10 CSR 60-3.010 Construction Authorization, Final Approval of Construction Owner-Supervised
Program and Permit to Dispense Water March 27, 2000

10 CSR 60-3.020 Continuing Operating Authority March 27, 2000

10 CSR 60-3.030 Technical, Managerial, and Financial Capacity March 27, 2000

Soil and Water Districts Commission

10 CSR 70-5.020 Application and Eligibility for Funds November 19, 1999

Department of Public Safety

Missouri Gaming Commission

11 CSR 45-17.020 Procedure for Applying for Placement on List of Disassociated Persons January 20, 2000

11 CSR 45-13.055 Immediate Revocation or Suspension of License—Expedited Hearing February 24, 2000

Department of Revenue

Director of Revenue

12 CSR 10-23.446 Notice of Lien February 23, 2000

Department of Social Services

Division of Aging

13 CSR 15-10.060 Hiring Restrictions—Good Cause Waiver January 10, 2000

13 CSR 15-14.012 Construction Standards for New Intermediate Care and Skilled Nursing Facilities
and Additions to and Major Remodeling of Intermediate Care and Skilled
Nursing Facilities February 24, 2000

13 CSR 15-14.022 Fire Safety Standards for New and Existing Intermediate Care and Skilled
Nursing Facilities February 24, 2000

Division of Family Services

13 CSR 40-19.020 Low Income Home Energy Assistance Program March 28, 2000

Division of Medical Services

13 CSR 70-4.090 Uninsured Working Parents' Health Insurance Program Terminated October 15, 1999

13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services March 29, 2000

13 CSR 70-10.030 Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/MR Services March 29, 2000

13 CSR 70-10.050	Pediatric Nursing Care Plan	March 29, 2000
13 CSR 70-10.080	Prospective Reimbursement Plan for HIV Nursing Care Services	March 29, 2000
13 CSR 70-10.110	Nursing Facility Reimbursement Allowance	March 29, 2000
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Reimbursement Methodology	December 24, 1999

Elected Officials

Treasurer

15 CSR 50-4.020	Missouri Higher Education Savings Board	March 11, 2000
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Department of Health

Environmental Public Health and Communicable Disease Prevention

19 CSR 20-8.010	Accreditation of Lead Training Program	February 25, 2000
19 CSR 20-8.020	Licensing of Lead Inspectors, Lead Abatement Workers and Lead Abatement Supervisors/Contractors	February 25, 2000

Division of Health Standards and Licensure

19 CSR 30-40.303	Medical Director Required for All: Ambulance Services and—Emergency Medical Response Agencies that Provide Advanced Life Support Services, Basic Life Support Services Utilizing Medications or Providing Assistance With Patients' Medications, or Basic Life Support Services Performing Invasive Procedures Including Invasive Airway Procedures; Dispatch Agencies Providing Prearrival Medical Instructions; and EMS Training Entities	February 3, 2000
19 CSR 30-40.303	Medical Director Required for All: Ambulance Services and Emergency Medical Response Agencies That Provide Advanced Life Support Services, Basic Life Support Services Utilizing Medications or Providing Assistance With Patients' Medications, or Basic Life Support Services Performing Invasive Procedures Including Invasive Airway Procedures; Dispatch Agencies Providing Pre-arrival Medical Instructions; and Training Entities	February 3, 2000
19 CSR 30-70.110	Definitions and Abbreviation for Lead Abatement and Assessment Licensing	February 25, 2000
19 CSR 30-70.120	General	February 25, 2000
19 CSR 30-70.130	Application Process and Requirements for the Licensure of Lead Inspectors	February 25, 2000
19 CSR 30-70.140	Application Process and Requirements for the Licensure of Risk Assessors	February 25, 2000
19 CSR 30-70.150	Application Process and Requirements for the Licensure of Lead Abatement Workers	February 25, 2000
19 CSR 30-70.160	Application Process and Requirements for the Licensure of Lead Abatement Supervisors	February 25, 2000
19 CSR 30-70.170	Application Process and Requirements for the Licensure of Project Designers	February 25, 2000
19 CSR 30-70.180	Application Process and Licensure Renewal Requirements for Lead Abatement Contractors	February 25, 2000
19 CSR 30-70.190	Renewal of Lead Occupation Licenses	February 25, 2000
19 CSR 30-70.195	Application Process and Requirements for Re-application After License Expiration	February 25, 2000
19 CSR 30-70.200	Application Process and Requirements for the Licensure of Risk Assessors Who Possessed a Valid Missouri Lead Inspector License on August 28, 1998	February 25, 2000
19 CSR 30-70.310	Definitions and Abbreviations for the Accreditation of Training Providers	February 25, 2000
19 CSR 30-70.320	Accreditation of Training Providers for Training Courses	February 25, 2000
19 CSR 30-70.330	Requirements for a Training Provider of a Lead Inspector Training Course	February 25, 2000
19 CSR 30-70.340	Requirements for a Training Provider of a Risk Assessor Training Course	February 25, 2000
19 CSR 30-70.350	Requirements for a Training Provider of a Lead Abatement Worker Training Course	February 25, 2000
19 CSR 30-70.360	Requirements for a Training Provider of a Lead Abatement Supervisor Training Course	February 25, 2000
19 CSR 30-70.370	Requirements for a Training Provider of a Project Designer Training Course	February 25, 2000
19 CSR 30-70.380	Requirements for the Accreditation of Refresher Courses	February 25, 2000
19 CSR 30-70.390	Re-accreditation of a Training Course or Refresher Course	February 25, 2000
19 CSR 30-70.400	Suspension, Revocation, and Restriction of Accredited Training Providers	February 25, 2000
19 CSR 30-70.510	Standard of Professional Conduct	February 25, 2000
19 CSR 30-70.520	Public Complaint Handling and Disposition Procedure	February 25, 2000
19 CSR 30-70.600	Definitions Pertaining to the Work Practice Standards for Conducting Lead- Bearing Substance Activities	February 25, 2000
19 CSR 30-70.610	Work Practice Standards for a Lead Inspection	February 25, 2000
19 CSR 30-70.620	Work Practice Standards for a Lead Risk Assessment	February 25, 2000
19 CSR 30-70.630	Lead Abatement Work Practice Standards	February 25, 2000
19 CSR 30-70.640	Project Notification for Industrial Lead Abatement Projects	February 25, 2000
Division of Maternal, Child and Family Health		
19 CSR 40-3.010	Administration of the SIDS Program	February 24, 2000
Missouri Health Facilities Review Committee		
19 CSR 60-50.400	Letter of Intent Process	January 5, 2000
19 CSR 60-50.400	Letter of Intent Process	January 5, 2000
19 CSR 60-50.410	Letter of Intent Package	January 5, 2000
19 CSR 60-50.410	Letter of Intent Package	January 5, 2000
19 CSR 60-50.420	Application Process	January 5, 2000
19 CSR 60-50.420	Application Process	January 5, 2000
19 CSR 60-50.430	Application Package	January 5, 2000
19 CSR 60-50.430	Application Package	January 5, 2000
19 CSR 60-50.450	Criteria and Standards for Long-Term Care	January 5, 2000
19 CSR 60-50.450	Criteria and Standards for Long-Term Care	January 5, 2000

The rule number and the MoReg publication date follow each entry to this index.

ACCOUNTANCY, STATE BOARD OF

fees; 4 CSR 10-2.160; 11/1/99

AGING, DIVISION OF

construction standards; 13 CSR 15-14.012; 6/15/99, 8/16/99
fire safety; 13 CSR 15-14.022; 6/15/99, 8/16/99
funding formula; 13 CSR 15-4.050; 3/15/99, 7/1/99
hiring restrictions; 13 CSR 15-10.060; 4/1/99, 8/16/99
physical plant requirements; 13 CSR 15-14.032; 3/1/99, 6/15/99

AGRICULTURAL AND SMALL BUSINESS DEVELOPMENT AUTHORITY

grant program; 2 CSR 100-8.010; 8/2/99

AIR QUALITY, POLLUTION

administrative penalties; 10 CSR 10-6.230; 5/17/99, 10/1/99
aerospace manufacture; 10 CSR 10-5.295; 8/16/99
construction permits required; 10 CSR 10-6.060; 5/17/99,
10/1/99
control of petroleum; 10 CSR 10-5.220; 2/1/99, 7/1/99
definitions; 10 CSR 10-6.020; 11/1/99
emissions
 batch process operations; 10 CSR 10-5.540; 8/16/99
 data and fees; 10 CSR 10-6.110; 6/15/98, 11/2/98, 6/15/99,
 11/1/99
 existing major sources; 10 CSR 10-5.520; 8/16/99
 hazardous air pollutants; 10 CSR 10-6.080; 4/15/99,
 9/15/99
 nitrogen oxides; 10 CSR 10-5.510; 8/16/99
 reactor processes and distillation; 10 CSR 10-5.550; 8/16/99
 visible air contaminants; 10 CSR 10-2.060; 10 CSR 10-
 3.080; 10 CSR 10-4.060; 10 CSR 10-5.090; 10/15/99
 wood furniture manufacturing; 10 CSR 10-5.530; 8/16/99
gasoline oxygen content; 10 CSR 10-5.446; 1/4/99
maximum achievable control technology; 10 CSR 10-6.075;
4/15/99, 9/15/99
motor vehicle emissions inspection; 10 CSR 10-5.380; 6/15/99,
11/1/99
new source performance regulations; 10 CSR 10-6.070; 4/15/99,
9/15/99
open burning; 10 CSR 10-5.070; 9/15/99
operating permits; 10 CSR 10-6.065; 11/1/99
restriction of emission
 particulate matter from industrial processes; 10 CSR
 10-3.050; 3/15/99, 5/3/99, 8/2/99
 visible air contaminants; 10 CSR 10-6.220; 5/3/99, 10/1/99

AMUSEMENT RIDES

accidents, injuries, death; 11 CSR 40-6.045; 4/1/99, 8/2/99
application for injunction; 11 CSR 40-6.100; 4/1/99, 8/2/99
assignment/contract; 11 CSR 40-6.065; 4/1/99, 8/2/99
cessation orders; 11 CSR 40-6.050; 4/1/99, 8/2/99
cost, inspection/investigation; 11 CSR 40-6.055; 4/1/99, 8/2/99
denial of entry; 11 CSR 40-6.090; 4/1/99, 8/2/99
director, qualified inspectors; 11 CSR 40-6.060; 4/1/99, 8/2/99
division; 11 CSR 40-6.030; 4/1/99, 8/2/99
exemptions; 11 CSR 40-6.025; 4/1/99, 8/2/99
liability insurance; 11 CSR 40-6.040; 4/1/99, 8/2/99
 coverage qualified inspector; 11 CSR 40-6.070; 4/1/99,
 8/2/99
operator requirements; 11 CSR 40-6.080; 4/1/99, 8/2/99
owner maintains records; 11 CSR 40-6.075; 4/1/99, 8/2/99

political subdivisions; 11 CSR 40-6.035; 4/1/99, 8/2/99
purpose; 11 CSR 40-6.010; 4/1/99, 8/2/99
rider responsibility; 11 CSR 40-6.085; 4/1/99, 8/2/99
scope and application; 11 CSR 40-6.015; 4/1/99, 8/2/99
terms, defined; 11 CSR 40-6.020; 4/1/99, 8/2/99
violation, penalty; 11 CSR 40-6.095; 4/1/99, 8/2/99

ARCHITECTS, ENGINEERS AND LAND SURVEYORS

definition of
 degree; 4 CSR 30-14.010; 4/15/99, 8/2/99
 final year of study; 4 CSR 30-14.060; 4/15/99, 8/2/99
engineers
 evaluation, comity applications; 4 CSR 30-4.070; 5/17/99,
 9/1/99

ATTORNEY GENERAL, OFFICE OF THE

sale of livestock
 concealment, suppression or omission of prices; 15 CSR
 60-11.020; 5/3/99
definitions; 15 CSR 60-11.010; 5/3/99

BINGO

duty of licensee to exclude ineligible persons; 11 CSR 45-30.590;
3/15/99, 9/1/99
electronic monitoring devices; 11 CSR 45-30.60; 6/15/99, 11/1/99
ineligible persons list
 distribution and availability; 11 CSR 45-30.585; 3/15/99,
 9/1/99
 entry of names to; 11 CSR 45-30.580; 3/15/99, 9/1/99
petition for removal from list; 11 CSR 45-30.595; 3/15/99,
9/1/99
progressive games; 11 CSR 45-30.370; 6/15/99, 11/1/99
record-keeping, suppliers; 11 CSR 45-30.525; 6/15/99, 11/1/99

BOILER AND PRESSURE VESSEL SAFETY

administration; 11 CSR 40-2.020; 4/15/99, 8/2/99

BOLL WEEVIL ERADICATION

cotton stalk destruction; 2 CSR 70-13.040; 8/2/99
definitions; 2 CSR 70-13.010; 8/2/99
exterior quarantine; 2 CSR 70-13.025; 8/2/99
intrastate quarantine; 2 CSR 70-13.020; 8/2/99
participation, fee, penalties; 2 CSR 70-13.030; 8/2/99
purchase of cotton; 2 CSR 70-13.035; 8/2/99
regions; 2 CSR 70-13.015; 8/2/99

CAFETERIA PLAN

state employees; 1 CSR 10-15.010; 10/15/99

CERTIFICATE OF NEED

application package; 19 CSR 60-50.430; 8/2/99
application process; 19 CSR 60-50.420; 8/2/99
criteria and standards for long-term care; 19 CSR 60-50.450;
8/2/99
letter of intent package; 19 CSR 60-50.410; 8/2/99
letter of intent process; 19 CSR 60-50.400; 8/2/99

CHILD CARE

family day care homes
 child care program; 19 CSR 30-61.175; 8/16/99
 day care provider and personnel; 19 CSR 30-61.105;
 8/16/99

fire safety; 19 CSR 30-61.086; 3/15/99, 8/16/99
initial licensing information; 19 CSR 30-61.045; 8/16/99
license renewal; 19 CSR 30-61.055; 8/16/99
physical requirements of the home; 19 CSR 30-61.085;
8/16/99
records and reports; 19 CSR 30-61.210; 8/16/99
group day care homes and child day care centers
child care program; 19 CSR 30-62.182; 3/15/99, 8/16/99
fire safety; 19 CSR 30-62.087; 3/15/99, 8/16/99
initial licensing information; 19 CSR 30-62.042;
8/16/99
license renewal; 19 CSR 30-62.052; 8/16/99
personnel; 19 CSR 30-62.102; 8/16/99
physical requirements; 19 CSR 30-62.082; 8/16/99
records and reports; 19 CSR 30-62.222; 8/16/99

CHIROPRACTIC EXAMINERS, STATE BOARD OF

application for licensure; 4 CSR 70-2.040; 9/15/99
examination; 4 CSR 70-2.050; 9/15/99
fees; 4 CSR 70-2.090; 7/15/99; 10/15/99
reciprocity; 4 CSR 70-2.070; 9/15/99

CLEAN WATER COMMISSION

direct loan programs; 10 CSR 20-4.041; 8/2/99
grants; 10 CSR 20-4.061; 7/15/99
40% construction; 10 CSR 20-4.023; 8/2/99
hardship; 10 CSR 20-4.043; 8/2/99
sewer, districts and municipal; 10 CSR 20-4.030; 8/2/99
penalty assessment protocol; 10 CSR 20-3.010; 5/17/99

COMMUNICABLE DISEASES

confidentiality; 19 CSR 20-20.090; 8/16/99

CONSERVATION COMMISSION

areas; 3 CSR 10-4.115; 9/1/99; 8/16/99; 10/15/99
areas owned by other entities; 3 CSR 10-4.116; 6/15/99,
9/1/99; 10/15/99
black bass; 3 CSR 10-6.505; 6/15/99, 9/1/99
catfish; 3 CSR 10-6.510; 6/15/99, 9/1/99
definitions; 3 CSR 10-11.805; 6/15/99, 9/1/99
endangered species; 3 CSR 10-4.111; 6/15/99, 9/1/99
falconry; 3 CSR 10-9.442; 10/1/99
fish
commercial; 3 CSR 10-10.725; 6/15/99, 9/1/99
other; 3 CSR 10-6.550; 6/15/99, 9/1/99
furbearers
hunting seasons; 3 CSR 10-7.450; 6/15/99, 9/1/99
trapping seasons; 3 CSR 10-8.515; 6/15/99, 9/1/99
general provisions; 3 CSR 10-6.405, 3 CSR 10-7.405; 10/15/99
ginseng; 3 CSR 10-4.113; 6/15/99, 9/1/99
giving away wildlife; 3 CSR 10-4.136; 6/15/99, 9/1/99
inspection; 3 CSR 10-4.125; 10/15/99
migratory game birds; 3 CSR 10-7.440; 7/15/99, 10/1/99
owner may protect property; 3 CSR 10-4.130; 6/15/99, 9/1/99
paddlefish; 3 CSR 10-6.525; 6/15/99, 9/1/99
permits
how obtained; 3 CSR 10-5.215; 6/15/99, 9/1/99; 10/15/99
required; 3 CSR 10-5.205; 6/15/99, 9/1/99; 10/15/99
resident and nonresident; 3 CSR 10-5.220; 6/15/99, 9/1/99
signed and carried; 3 CSR 10-5.210; 10/15/99
youth deer and hunting; 3 CSR 10-5.420; 6/15/99, 9/1/99
possession, storage, processing; 3 CSR 10-4.140; 6/15/99, 9/1/99
preparing, serving wildlife; 3 CSR 10-4.145; 6/15/99, 9/1/99
prohibition, general; 3 CSR 10-9.110; 6/15/99, 9/1/99
provisions, general; 3 CSR 10-6.405; 6/15/99, 9/1/99
restricted zones; 3 CSR 10-6.415; 6/15/99, 9/1/99

sales and possession; 3 CSR 10-10.768; 6/15/99, 9/1/99
trapping; 3 CSR 10-8.505 general provisions; 3 CSR 10-6.405;
10/15/99
turkeys; 3 CSR 10-7.455; 3/1/99
walleye, sauger; 3 CSR 10-6.540; 6/15/99, 9/1/99
wildlife, Class I; 3 CSR 10-9.230; 6/15/99, 9/1/99

CONTROLLED SUBSTANCES

administering in emergency rooms; 19 CSR 30-1.068; 3/1/99
Schedule II substances; 19 CSR 30-1.070; 3/1/99
definitions; 19 CSR 30-1.011; 3/1/99
dispensing
individual practitioners; 19 CSR 30-1.066; 3/1/99
Schedule V substances; 19 CSR 30-1.072; 3/1/99
without a prescription; 19 CSR 30-1.074; 3/1/99
disposing of unwanted controlled substances; 19 CSR 30-1.078;
3/1/99
emergency distribution by a pharmacy; 19 CSR 30-1.076; 3/1/99
fees
miscellaneous; 19 CSR 30-1.013; 3/1/99
registration; 19 CSR 30-1.015; 3/1/99
hearing procedures; 19 CSR 30-1.033; 3/1/99
inventories; 19 CSR 30-1.042; 3/1/99
investigative and administrative procedures; 19 CSR 30-1.027;
3/1/99
list of
excepted drugs; 19 CSR 30-1.020; 3/1/99
excepted substances; 19 CSR 30-1.004; 3/1/99
exempted anabolic steroid products; 19 CSR 30-1.006;
3/1/99; 19 CSR 30-1.025; 3/1/99
excluded veterinary anabolic steroid implant products; 19
CSR 30-1.008; 3/1/99
partial filling of Schedule II prescriptions; 19 CSR 1.064; 3/1/99
physical security requirements; 19 CSR 30-1.031; 3/1/99
prescribing, dispensing, administering; 19 CSR 30-1.035; 3/1/99
determining lawful basis; 19 CSR 30-1.060; 3/1/99
records
chemical analysts; 19 CSR 30-1.050; 3/1/99
continuing; 19 CSR 30-1.044; 3/1/99
long-term care facilities; 19 CSR 30-1.052; 3/1/99
manufacturers, distributors, importers, exporters; 19 CSR
30-1.046; 3/1/99
practitioners and researchers; 19 CSR 30-1.048; 3/1/99
requirements; 19 CSR 30-1.041; 3/1/99
registration
changes; 19 CSR 30-1.023; 3/1/99
location; 19 CSR 30-1.019; 3/1/99
process; 19 CSR 30-1.017; 3/1/99
requirements; 19 CSR 30-1.030; 3/1/99
separate; 19 CSR 30-1.026; 3/1/99
schedules; 19 CSR 30-1.002; 3/1/99; 19 CSR 30-1.010; 3/1/99
security for
nonpractitioners; 19 CSR 30-1.032; 3/1/99
practitioners; 19 CSR 30-1.034; 3/1/99
transmission of prescriptions; 19 CSR 0-1.062; 3/1/99
unwanted substances; 19 CSR 30-1.036; 3/1/99

COSMETOLOGY, STATE BOARD OF

identification; 4 CSR 90-13.060; 7/15/99
license, duplicate; 4 CSR 90-13.040; 7/15/99
students; 4 CSR 90-3.010; 9/1/98, 2/16/99, 6/15/99

CREDIT UNION COMMISSION

definitions; 4 CSR 105-3.010; 8/2/99
economic advisability; 4 CSR 105-3.030; 8/2/99

membership groups; 4 CSR 105-3.020; 8/2/99
organization; 4 CSR 105-1.010; 8/2/99
rules of procedure; 4 CSR 105-2.010; 8/2/99

DRIVER'S LICENSE BUREAU RULES

back of driver license; 12 CSR 10-24.430; 10/1/99
motor voter application; 12 CSR 10-24.440; 5/3/99, 8/16/99

ELEMENTARY AND SECONDARY EDUCATION

academically deficient schools; 5 CSR 30-340.010; 5/3/99, 8/16/99
certificate to teach
 application; 5 CSR 80-800.210; 4/15/99, 8/16/99
 deletion of; 5 CSR 80-800.310; 4/15/99, 8/16/99
 discipline and denial; 5 CSR 80-800.300; 4/15/99, 8/16/99
 revocation, suspension, invalidation and deletion; 5 CSR 80-800.040; 5/3/99, 8/16/99
even start family literacy; 5 CSR 50-321.400; 5/3/99, 8/16/99
foreign languages assistance; 5 CSR 50-321.200; 5/3/99, 8/16/99
fund program; 5 CSR 50-270.050; 4/1/99, 8/16/99
Goals 2000; 5 CSR 50-860.100; 5/3/99, 8/16/99
grants
 consolidated for discretionary programs; 5 CSR 50-321.020; 5/3/99, 8/16/99
Homeless Assistance Act; 5 CSR 50-321.300; 5/3/99, 8/16/99
immigrant education; 5 CSR 50-321.100; 5/3/99
Improving America's School Act; 5 CSR 50-321.010; 6/1/99, 10/1/99
professional education program; 5 CSR 80-805.015; 2/1/99, 7/1/99
sponsorship and mentoring program
 activities and student eligibility; 5 CSR 60-95.010; 5/3/99, 8/16/99
 administration, contributors, tax credits; 5 CSR 60-95.020; 5/3/99, 8/16/99
 reporting requirements; 5 CSR 60-95.040; 5/3/99, 8/16/99
 standards; 5 CSR 60-95.030; 5/3/99, 8/16/99
substitute license to teach; 5 CSR 80-800.290; 9/1/99
retired teacher program; 5 CSR 30-345.030; 11/1/99
waiver of regulations; 5 CSR 30-345.020; 11/1/99

EMBALMERS AND FUNERAL DIRECTORS, DIVISION OF

fees; 4 CSR 120-2.100; 5/3/99, 9/1/99
funeral directing; 4 CSR 120-2.060; 9/1/99
license renewal; 4 CSR 120-2.020; 5/3/99, 9/1/99
registration and apprenticeship; 4 CSR 120-2.010; 5/3/99, 9/1/99

EMERGENCY MEDICAL SERVICES

licensing and regulation of; 19 CSR 30-40.303; 9/1/99

ENERGY ASSISTANCE

low income program; 13 CSR 40-19.020; 10/1/99

FOOD AND NUTRITION PROGRAMS

child and adult care food; 19 CSR 40-5.050; 5/17/99, 9/15/99

FOOD PROTECTION, SANITATION

food establishments; 19 CSR 20-1.025; 5/3/99, 9/15/99
food-service establishments; 19 CSR 20-1.010; 5/3/99, 9/15/99
retail food stores; 19 CSR 20-1.020; 5/3/99, 9/15/99

GAMING COMMISSION

chips, tokens, coupons; 11 CSR 45-5.180; 6/15/99, 11/1/99

definitions; 11 CSR 45-1.090; 7/1/99

Disassociated Persons List

 applying for placement on list; 11 CSR 45-17.020; 5/3/99, 10/1/99
 confidentiality of list; 11 CSR 45-17.040; 5/3/99, 10/1/99
hearings
 disciplinary action; 11 CSR 45-13.050; 4/1/99, 9/1/99
internal control standards; 11 CSR 45-9.030; 7/1/99
revocation or suspension; 11 CSR 45-13.055; 9/1/99
surveillance rooms; 11 CSR 45-7.050; 4/1/99, 9/1/99

HAZARDOUS WASTE MANAGEMENT

administrative penalties; 10 CSR 25-14.010; 5/17/99, 10/15/99
fees and taxes; 10 CSR 25-12.010; 6/1/99, 10/15/99

HEARING INSTRUMENT SPECIALISTS, BOARD OF EXAMINERS FOR

continuing education; 4 CSR 165-2.050; 8/2/99
fees; 4 CSR 165-1.020; 6/1/99, 9/15/99
licensure by exam; 4 CSR 165-2.030; 8/2/99
specialist in training; 4 CSR 165-2.010; 8/2/99

HIGHER EDUCATION, DEPARTMENT OF

survivor grant program; 6 CSR 10-2.100; 7/1/99

HIGHER EDUCATION SAVINGS PROGRAM

board; 15 CSR 50-4.020; 10/1/99
organization; 15 CSR 50-4.010; 10/1/99

HIV/AIDS MEDICATIONS PROGRAM

administration; 19 CSR 20-43.020; 2/16/99, 7/15/99
definitions; 19 CSR 20-43.010; 2/16/99, 7/15/99
eligibility; 19 CSR 20-43.030; 2/16/99, 7/15/99
provider requirements; 19 CSR 40-13.040; 2/16/99, 7/15/99, 7/15/99

HUMAN RIGHTS, MISSOURI COMMISSION ON

employment practices; 8 CSR 60-3.040; 10/15/99

IMMUNIZATION

coverage by insurance policy; 19 CSR 20-28.060; 6/15/99, 10/1/99

INSURANCE, DEPARTMENT OF

affidavits; 20 CSR 700-6.300; 12/15/98, 6/15/99, 10/1/99
agents
 appointment of; 20 CSR 700-1.130; 5/17/99, 10/15/99
 exam and licensing; 20 CSR 700-1.010; 5/17/99, 10/15/99
amendment or reinstatement of articles; 20 CSR 200-5.010; 12/15/98, 6/15/99, 10/1/99
application for certificate of authority; 20 CSR 200-9.600; 12/15/98, 6/15/99, 10/1/99
brokers; 20 CSR 700-1.100; 5/17/99, 10/15/99
deposit of securities; 20 CSR 200-7.200; 12/15/98, 6/15/99, 10/1/99
dissolution of plan; 20 CSR 200-14.400; 12/15/98, 6/15/99, 10/1/99
federal liability risk retention; 20 CSR 200-8.100; 6/15/99, 10/1/99
forms and fees ; 20 CSR 200-10.500; 12/15/98, 6/15/99, 10/1/99
group health filings; 20 CSR 400-2.130; 12/15/98, 6/15/99, 10/1/99
law interpretations; 20 CSR 500-4.100; 8/16/99
licensing of agencies; 20 CSR 700-1.110; 12/15/98, 6/15/99, 10/1/99
medical malpractice award; 20 CSR; 2/14/98, 3/1/99
modified guaranty annuity; 20 CSR 400-1.150; 12/15/98, 6/15/99, 10/1/99
mutual life insurance holding company

abandonment or amendment of plan; 20 CSR 200-16.120; 4/1/99, 7/15/99
application, hearing; 20 CSR 200-16.040; 4/1/99, 7/15/99
availability of information; 20 CSR 200-16.090; 4/1/99, 7/15/99
compensation; 20 CSR 200-16.070; 4/1/99, 7/15/99
contents of plan; 20 CSR 200-16.030; 4/1/99, 7/15/99
conversion of; 20 CSR 200-16.010; 4/1/99, 7/15/99
corporate existence; 20 CSR 200-16.110; 4/1/99, 7/15/99
definitions; 20 CSR 200-16.020; 4/1/99, 7/15/99
effective date; 20 CSR 200-16.100; 4/1/99, 7/15/99, 7/15/99
limitations on ownership; 20 CSR 200-16.060; 4/1/99, 7/15/99
member approval; 20 CSR 200-16.050; 4/1/99, 7/15/99
severability; 20 CSR 200-16.130; 4/1/99, 7/15/99
substantial compliance; 20 CSR 200-16.080; 4/1/99, 7/15/99
prelicensing education; 20 CSR 700-3.100; 12/15/98, 6/15/99, 10/1/99
rate variations; 20 CSR 500-4.300; 12/15/98, 6/15/99, 10/1/99
referenced or adopted material; 20 CSR 10-1.020; 12/15/98, 6/15/99, 10/1/99
reinsurance intermediary license; 20 CSR 700-7.100; 12/15/98, 6/15/99, 10/1/99
service of process; 20 CSR 800-2.010; 12/15/98, 6/15/99, 10/1/99
standards for policy issuance; 20 CSR 500-7.200; 12/15/98, 6/15/99, 10/1/99
surplus lines forms; 20 CSR 200-6.100; 12/15/98, 6/1/99, 10/1/99
utilization review; 20 CSR 700-4.100; 12/15/98, 6/15/99, 10/1/99

INVESTMENT OF NONSTATE FUNDS

investment instruments; 12 CSR 10-43.020; 9/15/99
collateral requirements; 12 CSR 10-43.030; 9/15/99

LABOR AND INDUSTRIAL RELATIONS, DIVISION OF

state board of mediation

amendment; 8 CSR 40-2.055; 6/15/99, 10/1/99
certification; 8 CSR 40-2.030; 6/15/99, 10/1/99
decertification; 8 CSR 40-2.040; 6/15/99, 10/1/99
definitions; 8 CSR 40-2.010; 6/15/99, 10/1/99
election
 agreement for consent; 8 CSR 40-2.180; 6/15/99, 10/1/99
 notice; 8 CSR 40-2.150; 6/15/99, 10/1/99
 procedure; 8 CSR 40-2.160; 6/15/99, 10/1/99
 runoff; 8 CSR 40-2.170; 6/15/99, 10/1/99
initial action; 8 CSR 40-2.100; 6/15/99, 10/1/99
intervention; 8 CSR 40-2.130; 6/15/99, 10/1/99
list of employees; 8 CSR 40-2.120; 6/15/99, 10/1/99
petitions; 8 CSR 40-2.020; 6/15/99, 10/1/99
 petitioning party; 8 CSR 40-2.110; 6/15/99, 10/1/99
showing of interest; 8 CSR 40-2.070; 6/15/99, 10/1/99
unit clarification; 8 CSR 40-2.050; 6/15/99

LIVESTOCK PURCHASES

price reporting; 2 CSR 10-5.005; 10/1/99

LEAD ABATEMENT AND ASSESSMENT LICENSING, TRAINING ACCREDITATION

accreditation; 19 CSR 20-8.010, 10/1/99
application
 lead abatement
 contractors; 19 CSR 30-70.180; 10/1/99
 supervisors; 19 CSR 30-70.160; 10/1/99
 workers; 19 CSR 30-70.150; 10/1/99

lead inspectors; 19 CSR 30-70.130; 10/1/99
project designers; 19 CSR 30-70.170; 10/1/99
risk assessors; 19 CSR 30-70.140; 19 CSR 30-70.200; 10/1/99
complaint handling; 19 CSR 30-70.520; 10/1/99
definitions
 lead abatement and assessment; 19 CSR 30-70.110, 10/1/99
 training providers; 19 CSR 30-70.310; 10/1/99
 work practice standards; 19 CSR 30-70.600; 10/1/99
general; 19 CSR 30-70.120; 10/1/99
licensing; 19 CSR 20-8.020, 10/1/99
occupation licenses; 19 CSR 30-70.190; 10/1/99
project notification; 19 CSR 30-70.640; 10/1/99
reapplication; 19 CSR 30-70.195; 10/1/99
refresher courses; 19 CSR 30-70.380; 10/1/99
 reaccreditation; 19 CSR 30-70.390; 10/1/99
standards of professional conduct; 19 CSR 30-70.510; 10/1/99
suspension, revocation, restriction; 19 CSR 30-70.400; 10/1/99
training courses
 lead abatement supervisor; 19 CSR 30-70.360; 10/1/99
 lead abatement worker; 19 CSR 30-70.350; 10/1/99
 lead inspector; 19 CSR 30-70.330; 10/1/99
 project designer; 19 CSR 30-70.370; 10/1/99
 risk assessor; 19 CSR 30-70.340; 10/1/99
 training providers; 19 CSR 30-70.320; 10/1/99
work practice standards
 lead abatement; 19 CSR 30-70.630; 10/1/99
 lead inspection; 19 CSR 30-70.610; 10/1/99
 lead risk assessment; 19 CSR 30-70.620; 10/1/99

LIQUOR CONTROL, DIVISION OF

unlawful discrimination and price scheduling; 11 CSR 70-2.190; 10/1/99

LOCAL RECORDS

grant program; 15 CSR 30-45.030; 9/1/99

LOTTERY, STATE

instant game
 definitions; 12 CSR 40-80.010; 11/2/98, 7/15/99, 11/1/99
 designations for specifics for each game; 12 CSR 40-90.110; 11/2/98, 7/15/99, 11/1/99
 disputes; 12 CSR 40-80.100; 11/2/98, 7/15/99, 11/1/99
 limitation on awarding prizes; 12 CSR 40-80.030; 11/2/98, 7/15/99, 11/1/99
 manner of selecting; 12 CSR 40-80.020; 11/2/98, 7/15/99, 11/1/99
 number and value of prizes; 12 CSR 40-90.030, 12 CSR 40-90.080; 11/2/98, 7/15/99, 11/1/99
 retailer validation code; 12 CSR 40-90.050, 12 CSR 40-90.100; 11/2/98, 7/15/99, 11/1/99
 return of tickets; 12 CSR 40-20.040; 11/2/98, 7/15/99, 11/1/99
 rub-off spots; 12 CSR 40-90.020, 12 CSR 40-90.070; 12 CSR 40-90.090; 11/2/98, 7/15/99, 11/1/99
state fair spin; 12 CSR 40-90.120; 11/2/98, 7/15/99, 11/1/99
symbol captions; 12 CSR 40-90.040; 11/2/98, 7/15/99, 11/1/99
 theme number 1; 12 CSR 40-90.010; 11/2/98, 7/15/99, 11/1/99
 theme number 2; 12 CSR 40-90.060; 11/2/98, 7/15/99, 11/1/99
ticket responsibility; 12 CSR 40-80.090; 11/2/98, 7/15/99, 11/1/99
validation requirements; 12 CSR 40-80.050; 11/2/98, 7/15/99, 11/1/99

MEDICAID

computation of overpayment; 13 CSR 70-3.130; 7/15/99
children's health insurance program; 13 CSR 70-4.080; 10/1/99
federal reimbursement allowance; 13 CSR 70-15.110; 10/1/99
GME payment; 13 CSR 70-15.010; 7/15/99, 8/2/99
hospital reimbursement rates; 13 CSR 70-15.010; 2/16/99, 6/15/99, 10/1/99, 10/15/99
list of restricted drugs; 13 CSR 70-20.031; 7/1/99
outpatient settlements; 13 CSR 70-15.010; 6/1/99
pediatric nursing care; 13 CSR 70-10.050; 7/1/99
preadmission screening; 13 CSR 70-10.040; 7/1/99
provider enrollment; 13 CSR 70-3.020; 6/15/98
sanctions for false or fraudulent claims; 13 CSR 70-3.030; 7/15/99
settlements; 13 CSR 70-15.040; 6/15/99, 7/15/99, 10/15/99
Title XIX provider enrollment; 13 CSR 70-3.020; 7/15/99
trend factors; 13 CSR 70-10.030; 7/1/99
uninsured working parents' health insurance program; 13 CSR 70-4.090; 10/1/99, 10/15/99

METALLIC MINERALS WASTE MANAGEMENT

administrative penalty assessment; 10 CSR 45-3.010; 5/17/99
closure and inspection plan; 10 CSR 45-6.020; 8/16/99
definitions; 10 CSR 45-2.010; 8/16/99
financial assurance; 10 CSR 45-6.030; 8/16/99
organization; 10 CSR 45-1.010; 8/16/99
permit applications; 10 CSR 45-6.010; 8/16/99

MENTAL HEALTH, DEPARTMENT OF

admission criteria; 9 CSR 30-4.042; 9/15/99
client records; 9 CSR 30-4.035; 9/15/99
definitions; 9 CSR 30-4.030; 9/15/99
Missouri Alliance for Individuals; 9 CSR 45-5.040; 10/1/99
personnel and staff development; 9 CSR 30-4.034; 9/15/99
recovery of overpayments to providers; 9 CSR 25-4.040; 10/1/99
service provision; 9 CSR 30-4.039; 9/15/99
treatment; 9 CSR 30-4.043; 9/15/99

MILK BOARD, STATE

inspection fees; 2 CSR 80-5.010; 4/1/99, 8/2/99

MOTOR CARRIER AND RAILROAD SAFETY

marking of vehicles; 4 CSR 265-10.025; 9/15/99

MOTOR VEHICLE

historic vehicle license; 12 CSR 10-23.444; 4/15/99, 8/2/99
notice of lien; 12 CSR 10-23.446; 10/1/99
outboard motor; 12 CSR 10-23.442; 4/1/99, 7/15/99
statements of non-interest; 12 CSR 10-23.265; 8/2/99

MOTOR VEHICLE INSPECTION DIVISION

brake components; 11 CSR 50-2.160; 4/15/99, 8/16/99
school bus inspection; 11 CSR 50-2.320; 4/15/99, 8/16/99
steering mechanisms; 11 CSR 50-2.200; 4/15/99, 8/16/99

NURSING HOME ADMINISTRATORS

examination; 13 CSR 73-2.070; 4/1/99, 7/15/99

NURSING HOME PROGRAM

pediatric nursing care plan; 13 CSR 70-10.050, 7/1/99, 10/15/99
reimbursement
allowance; 13 CSR 70-10.110; 10/1/99, 10/15/99
HIV nursing facilities; 13 CSR 70-10.080; 10/1/99, 10/15/99
ICF/MR services; 13 CSR 70-10.030; 7/1/99; 10/15/99
nursing facilities; 13 CSR 70-10.015; 10/1/99, 10/15/99

OUTDOOR ADVERTISING

beyond 600 feet of right-of-way; 7 CSR 10-6.050; 3/15/99, 10/1/99
commercial and industrial areas; 7 CSR 10-6.040; 3/15/99, 10/1/99
cutting and trimming of vegetation; 7 CSR 10-6.085; 3/15/99, 10/1/99
definitions; 7 CSR 10-6.015; 3/15/99, 10/1/99
nonconforming signs; 7 CSR 10-6.060; 3/15/99, 10/1/99
permits; 7 CSR 10-6.070; 3/15/99, 10/1/99
public information; 7 CSR 10-6.010; 3/15/99, 10/1/99

PEACE OFFICER STANDARDS AND TRAINING PROGRAM (POST)

application and review process, receiving of assistance; 11 CSR 75-10.100; 4/15/99, 8/2/99
computer-based training; 11 CSR 75-12.010; 7/15/99
procedures; 11 CSR 75-12.020; 7/15/99; 11 CSR 75-12.030; 7/15/99
definitions; 11 CSR 75-2.010; 7/15/99
ineligible cost items; 11 CSR 75-10.070; 8/2/99

PERSONNEL ADVISORY BOARD AND DIVISION OF PERSONNEL

broad classification bands; 1 CSR 20-2.015; 4/15/99, 8/16/99
definitions; 1 CSR 20-1.020; 4/15/99, 8/16/99; 1 CSR 20-5.015 10/15/99
hours of work and holidays; 1 CSR 20-5.010; 10/15/99
leaves of absence; 1 CSR 20-5.020; 10/15/99
probationary period; 1 CSR 20-3.040; 4/15/99, 8/16/99
registers; 1 CSR 20-3.020; 4/15/99, 8/16/99
ShareLeave; 1 CSR 20-5.025; 10/15/99

PETITION RULES

processing procedures; 15 CSR 30-15.020; 10/1/99
signature verification; 15 CSR 30-15.010; 10/1/99

PETROLEUM STORAGE TANK INSURANCE FUND BOARD OF TRUSTEES

appeals procedure; 10 CSR 100-5.020; 5/3/99, 10/1/99
assessment of transport load fee; 10 CSR 100-3.010; 5/3/99, 10/1/99
claims
cleanup costs; 10 CSR 100-5.010; 5/3/99, 10/1/99
third-party; 10 CSR 100-5.030; 5/3/99, 10/1/99
definitions; 10 CSR 100-2.010; 5/3/99, 10/1/99
organization; 10 CSR 100-1.010; 5/3/99, 10/1/99
participation requirements
aboveground tanks; 10 CSR 100-4.020; 5/3/99, 10/1/99
underground tanks; 10 CSR 100-4.010; 5/3/99, 10/1/99

PHARMACY, STATE BOARD OF

disciplinary actions; 4 CSR 220-2.160; 8/2/99
permits; 4 CSR 220-2.020; 8/2/99
standards of operation; 4 CSR 220-2.010; 8/2/99

PHYSICAL THERAPISTS AND ASSISTANTS

continuing education
acceptable; 4 CSR 150-3.203; 6/15/99
extensions; 4 CSR 150-3.202; 6/15/99, 11/1/99
requirements; 4 CSR 150-3.201; 6/15/99, 11/1/99
definitions; 4 CSR 150-3.200; 6/1/99, 11/1/99
fees; 4 CSR 150-3.080; 6/1/99, 11/1/99

PHYSICIAN ASSISTANTS

renewal of license; 4 CSR 150-7.310; 11/16/98
supervision agreements; 4 CSR 150-7.135; 8/16/99, 9/1/99
temporary licensure; 4 CSR 150-7.300; 11/16/98

PHYSICIANS AND SURGEONS

definitions; 4 CSR 150-2.001; 10/15/98
temporary license to teach; 4 CSR 150-2.065; 10/15/98

PODIATRIC MEDICINE, STATE BOARD OF

application for licensure; 4 CSR 230-2.010; 7/1/99, 10/15/99
fees; 4 CSR 230-2.070; 6/1/99, 9/15/99
internship/residency; 4 CSR 230-2.065; 9/15/99, 10/15/99
license renewal; 4 CSR 230-2.030; 6/1/99, 9/15/99
temporary licensure; 4 CSR 230-2.065; 7/1/99

PSYCHOLOGISTS, STATE COMMITTEE OF

application for licensure; 4 CSR 235-1.030; 9/1/99
health service provider certification; 4 CSR 235-1.031;
9/1/99
provisional; 4 CSR 235-1.025; 9/1/99
temporary; 4 CSR 235-1.026; 9/1/99
complaint handling; 4 CSR 235-4.030; 9/1/99
continuing education; 4 CSR 235-7.010; 2/1/99, 7/1/99
programs and credits; 4 CSR 235-7.030; 2/1/99, 7/1/99
reports; 4 CSR 235-7.020; 2/1/99, 7/1/99
verification; 4 CSR 235-7.040; 2/1/99, 7/1/99
definitions; 4 CSR 235-7.005; 2/1/99, 7/1/99;
4 CSR 235-1.015; 9/1/99
fees; 4 CSR 235-1.020; 6/1/99, 9/15/99
health care provider certification; 4 CSR 235-3.020; 9/1/99
licensure by
endorsement of EPPP exam; 4 CSR 235-2.065; 9/1/99
exam; 4 CSR 235-2.060; 9/1/99
reciprocity; 4 CSR 235-3.020; 9/1/99
notification of change of address; 4 CSR 235-1.060; 9/1/99
replacements; 4 CSR 235-1.063; 9/1/99
supervised professional experience; 4 CSR 235-2.020; 9/1/99;
4 CSR 235-2.040; 9/1/99
delivery of nonhealth services; 4 CSR 235-2.050; 9/1/99
variances; 4 CSR 235-7.050; 2/1/99, 7/1/99

PUBLIC DRINKING WATER PROGRAM

analyses; 10 CSR 60-5.010; 8/2/99
capacity requirements; 10 CSR 60-3.030; 8/2/99, 10/15/99
construction authorization; 10 CSR 60-3.010; 8/2/99, 10/15/99
consumer confidence report; 10 CSR 60-8.030; 8/2/99
continuing operating authority; 10 CSR 60-3.020; 8/2/99,
10/15/99
exemptions; 10 CSR 60-6.020; 8/2/99
penalty assessment; 10 CSR 60-6.070; 8/2/99
variances; 10 CSR 60-6.010; 8/2/99
schedules; 10 CSR 60-6.030; 8/2/99

PUBLIC SERVICE COMMISSION

certification of energy sellers; 4 CSR 240-45.010; 9/1/98,
5/3/99, 8/16/99
electric utilities
affiliate transactions; 4 CSR 240-20.015; 6/1/99
emergency telephone service standards
database accuracy standards; 4 CSR 240-34.090; 3/15/99,
8/16/99
definitions; 4 CSR 20-34.020; 3/15/99, 8/16/99
E-911 service providers; 4 CSR 240-34.030; 3/15/99,
8/16/99
ETS subscriber record information; 4 CSR 240-43.040;
3/15/99, 8/16/99
provisions, general; 4 CSR 240-34.010; 3/15/99, 8/16/99
repair of telecommunication facilities; 4 CSR 240-34.070;
3/15/99, 8/16/99
selective routing standards; 4 CSR 240-34.080; 3/15/99,
8/16/99

subscriber record information; 4 CSR 240-34.050; 3/15/99,
8/16/99
telecommunications facilities standards; 4 CSR 240-34.060;
3/15/99, 8/16/99

gas utilities

affiliate transactions; 4 CSR 240-40.015; 6/1/99
marketing; 4 CSR 240-40.016; 6/1/99

HVAC services affiliate transactions

electric utilities; 4 CSR 240-20.017; 2/1/99, 7/1/99
gas utilities; 4 CSR 240-40.017; 2/1/99, 7/1/99
steam heating utilities; 4 CSR 240-80.017; 2/1/99, 7/1/99
meetings and hearings; 4 CSR 240-2.020; 9/1/99

practice and procedure

applications; 4 CSR 240-2.060; 10/1/99
briefs and oral argument; 4 CSR 240-2.140; 10/1/99
complaints; 4 CSR 240-2.070; 10/1/99
computation of effective dates; 4 CSR 240-2.050; 10/1/99
decisions of the commission; 4 CSR 240-2.150; 10/1/99
definitions; 4 CSR 240-2.010; 10/1/99
discovery and prehearings; 4 CSR 240-2.090; 10/1/99
dismissal; 4 CSR 240-2.116; 10/1/99
dispute resolution; 4 CSR 240-2.125; 10/1/99
evidence; 4 CSR 240-2.130; 10/1/99
forms; 4 CSR 240-2.170; 10/1/99
hearings; 4 CSR 240-2.110; 10/1/99
intervention; 4 CSR 240-2.075; 10/1/99
orders of the commission; 4 CSR 240-2.150; 10/1/99
pleadings; 4 CSR 240-2.080; 10/1/99
practice before the commission; 4 CSR 240-2.040; 10/1/99
presiding officers; 4 CSR 240-2.120; 10/1/99
protective orders; 4 CSR 240-2.085; 10/1/99
rehearings and reconsideration; 4 CSR 240-2.160; 10/1/99
rulemaking; 4 CSR 240-2.180; 10/1/99
small company rate increase; 4 CSR 240-2.200; 10/1/99
stipulations and agreements; 4 CSR 240-2.115; 10/1/99
subpoenas; 4 CSR 240-2.100; 10/1/99
tariff filings; 4 CSR 240-2.065; 10/1/99
waiver of rules; 4 CSR 240-2.015; 10/1/99
records of the commission; 4 CSR 240-2.030; 9/1/99
safety standards; 4 CSR 240-18.010; 10/1/99
steam heating utilities

affiliate transactions; 4 CSR 240-80.015; 6/1/99

telecommunications companies

billing and payment standards; 4 CSR 240-33.040; 10/1/99
complaint procedures; 4 CSR 240-33.110; 10/1/99
definitions; 4 CSR 240-33.020; 10/1/99
deposits and guarantees; 4 CSR 240-33.050; 10/1/99
discontinuance of service; 4 CSR 240-33.070; 10/1/99
disputes; 4 CSR 240-33.080; 10/1/99
inquiries; 4 CSR 240-33.060; 10/1/99
operator service; 4 CSR 240-33.130; 10/1/99
payment deferral for schools and libraries; 4 CSR 240-
33.120; 10/1/99
pay telephone; 4 CSR 240-33.140; 10/1/99
settlement agreements; 4 CSR 240-33.090; 10/1/99
variance; 4 CSR 240-33.100; 10/1/99

telecommunication services

basic local and interchange provisions; 4 CSR 240-32.100;
2/16/99, 8/2/99
connection of equipment; 4 CSR 240-32.090; 2/16/99,
8/2/99
customer services; 4 CSR 240-32.050; 2/16/99, 8/2/99
definitions; 4 CSR 240-32.020; 2/16/99, 8/2/99
engineering, maintenance; 4 CSR 240-32.060; 2/16/99,
8/2/99
general provisions; 4 CSR 240-32.010; 2/16/99, 8/2/99

metering, inspections, tests; 4 CSR 240-32.040; 2/16/99, 8/2/99
 objectives and surveillance levels; 4 CSR 240-32.080; 2/16/99, 8/2/99
 snap-back requirements; 4 CSR 240-32.120; 10/1/99
 providers; 4 CSR 240-33.150; 7/15/99, 8/2/99, 10/15/99
 quality of service; 4 CSR 240-32.070; 2/16/99, 8/2/99
 records and reports; 4 CSR 240-32.030; 2/16/99, 8/2/99
 surety bonding requirements; 4 CSR 240-32.110; 10/1/99
 telephone utilities
 billing and payment standards; 4 CSR 240-33.040; 10/1/99
 complaint procedures; 4 CSR 240-33.110; 10/1/99
 definitions; 4 CSR 240-33.020; 10/1/99
 deposits and guarantees; 4 CSR 240-33.050; 10/1/99
 discontinuance of service; 4 CSR 240-33.070; 10/1/99
 disputes; 4 CSR 240-33.080; 10/1/99
 general provisions; 4 CSR 240-33.010; 10/1/99
 inquiries; 4 CSR 240-33.060; 10/1/99
 settlement agreements; 4 CSR 240-33.090; 10/1/99
 variances; 4 CSR 240-33.100; 10/1/99

REAL ESTATE APPRAISERS

certification, licensure, nonresident; 4 CSR 245-4.050; 8/2/99
 expiration and renewal; 4 CSR 245-4.020; 8/2/99
 fees; 4 CSR 245-5.020; 8/2/99
 payment; 4 CSR 245-5.010; 8/2/99
 records; 4 CSR 245-8.040; 8/2/99
 requirements; 4 CSR 245-8.010; 8/2/99

RETIREMENT SYSTEMS

county employees' retirement fund
 certification of employment and salary; 16 CSR 50-2.050; 5/17/99, 8/16/99
 payroll contributions; 16 CSR 50-2.020; 7/1/99, 10/1/99
 public school retirement
 beneficiary; 16 CSR 10-5.030; 9/15/99, 16 CSR 10-6.090; 9/15/99
 cost of living adjustment; 16 CSR 10-5.055; 9/15/99, 16 CSR 10-6.100; 9/15/99
 disability retirement; 16 CSR 10-5.020; 9/15/99
 membership service credit; 16 CSR 10-4.010; 9/15/99, 16 CSR 10-6.040; 9/15/99
 payment of funds; 16 CSR 10-3.010; 7/15/99, 11/1/99
 service retirement; 16 CSR 10-6.060; 9/15/99
 source of funds; 16 CSR 10-6.020; 7/15/99, 11/1/99

REVENUE, DEPARTMENT OF

gifts to the state; 12 CSR 10-42.030; 7/15/99

RURAL HEALTH CLINIC

provider based clinic; 13 CSR 70-94.020; 6/15/99, 10/15/99

SOIL AND WATER DISTRICTS COMMISSION

application and eligibility for funds; 10 CSR 70-5.020; 4/15/99, 6/15/99, 9/1/99

SOLID WASTE MANAGEMENT

administrative penalty assessment; 10 CSR 80-2.040; 5/17/99, 10/15/99

SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

display of certificate; 4 CSR 150-4.125; 3/15/99
 educational requirements; 4 CSR 150-4.105; 3/15/99
 process for registration; 4 CSR 150-4.120; 3/15/99
 renewal
 certificate of registration; 4 CSR 150-4.130; 3/15/99

scope of practice; 4 CSR 150-4.115; 3/15/99
 supervision requirements; 4 CSR 150-4.110; 3/15/99

TAX COMMISSION, STATE

appraisal evidence; 12 CSR 30-3.065; 5/3/99, 9/1/99
 mediation of appeals; 12 CSR 30-3.085; 8/16/99

TAX CREDIT

maternity homes; 13 CSR 40-80.010; 10/1/99

TAX, INCOME

determination of timeliness; 12 CSR 10-2.240; 11/1/99

TAX, SALES/USE

ceramic greenware molds; 12 CSR 10-3.318; 8/16/99
 concrete mixing trucks; 12 CSR 10-3.848; 8/16/99
 direct use; 12 CSR 10-3.326; 8/16/99
 drugs and medical equipment; 12 CSR 10-111.013; 11/1/99
 exempt machinery; 12 CSR 10-3.327; 8/16/99
 machinery and equipment exemptions; 12 CSR 10-111.010; 10/1/99
 plant, new or expanded; 12 CSR 10-3.320; 8/16/99
 refunds and credits; 12 CSR 10-111.016; 11/1/99
 replacement machinery, equipment; 12 CSR 10-3.316; 8/16/99
 retreading tires; 12 CSR 10-3.056; 8/16/99
 rock quarries; 12 CSR 10-3.324; 8/16/99
 rulings; 12 CSR 10-3.003, 12 CSR 10-4.295; 8/16/99
 vending machines
 on owner's premises; 12 CSR 10-3.106; 8/16/99
 premises other than owner; 12 CSR 10-3.108; 8/16/99

TOURIST ORIENTED DIRECTIONAL SIGNING

administration; 7 CSR 10-22.060; 3/15/99, 8/16/99
 definitions; 7 CSR 10-22.020; 3/15/99, 8/16/99
 eligibility requirements; 7 CSR 10-22.040; 3/15/99, 8/16/99
 intersection leg eligibility; 7 CSR 10-22.030; 3/15/99, 8/16/99
 public information; 7 CSR 10-22.010; 3/15/99, 8/16/99
 sign requirements; 7 CSR 10-22.050; 3/15/99, 8/16/99

TRAFFIC REGULATIONS

overdimension and overweight permits; 7 CSR 10-2.010; 6/1/99

TREASURER, STATE

auditing based on reason to believe; 15 CSR 50-3.075; 5/17/99, 8/16/99
 cessation of holder's liability; 15 CSR 50-3.080; 5/17/99, 8/16/99
 definitions; 15 CSR 50-3.005; 5/17/99, 8/16/99
 property
 deemed unclaimed; 15 CSR 50-3.030; 5/17/99, 8/16/99
 not deliverable to the state; 15 CSR 50-3.050; 5/17/99, 8/16/99
 reporting and delivery, abandoned; 15 CSR 50-3.070; 5/17/99, 8/16/99
 unclaimed; 15 CSR 50-3.010; 5/17/99, 8/16/99
 sale of abandoned property; 15 CSR 50-3.100; 5/17/99, 8/16/99
 searching for owners and filing of claims; 15 CSR 50-3.090; 5/17/99, 8/16/99

UNDERGROUND STORAGE TANKS

applications; 10 CSR 20-12.040; 5/3/99
 review of; 10 CSR 20-12.045; 5/3/99
 claims, third-party; 10 CSR 20-12.062; 5/3/99
 closure and changes in service; 10 CSR 20-10.071; 5/3/99
 definitions; 10 CSR 20-12.010; 5/3/99
 financial responsibility terms; 10 CSR 20-11.092; 5/3/99
 technical regulations; 10 CSR 20-10.012; 5/3/99

eligibility; 10 CSR 20-12.025; 5/3/99
fees
 participation; 10 CSR 20-12.030; 5/3/99
 petroleum transport load; 10 CSR 20-12.020; 5/3/99
membership; 10 CSR 20-12.070; 5/3/99
notification requirements; 10 CSR 20-10.022; 5/3/99
penalty assessment protocol; 10 CSR 20-13.080; 5/17/99
proof of integrity; 10 CSR 20-12.050; 5/3/99
reimbursement; 10 CSR 20-12.060; 5/3/99
 cleanup costs criteria; 10 CSR 20-12.061; 5/3/99
risk-based clean-up levels; 10 CSR 20-10.068; 5/3/99
sites with existing contamination; 10 CSR 20-12.080; 5/3/99

VITAL RECORDS

birth; 19 CSR 10-10.010; 4/15/99
filing a delayed birth certificate; 19 CSR 10-10.030; 4/15/99
records; 19 CSR 10-10.010; 4/15/99

VOTOR APPLICATION AND FORMS

postcard form; 15 CSR 30-4.010; 10/1/99

WATER QUALITY

effluent regulations; 10 CSR 20-7.015; 4/1/99, 10/1/99

WEIGHTS AND MEASURES

inspection of premises; 2 CSR 90-30.050; 5/17/99, 10/1/99
measuring devices; 2 CSR 90-30.080; 5/7/99, 10/1/99
service station
 auto and marine; 2 CSR 90-30.060; 5/7/99, 10/1/99
 unattended self-service; 2 CSR 90-30.070; 5/7/99,
 10/1/99
tank trucks and tank wagons; 2 CSR 90-30.090; 5/7/99,
 10/1/99
terminals; 2 CSR 90-30.100; 5/7/99, 10/1/99

WORKFORCE DEVELOPMENT

application; 4 CSR 195-5.020; 10/1/99
employee/trainee eligibility; 4 CSR 195-5.030; 10/1/99
purpose, business eligibility; 4 CSR 195-5.010; 10/1/99

WORKERS' COMPENSATION

crime victims; 8 CSR 50-6.010; 5/3/99, 9/1/99

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